

# AN ANALYSIS OF USE OF FORCE INCIDENTS IN THE MILWAUKEE POLICE DEPARTMENT IN 2023



## REPORT OF THE FIRE AND POLICE COMMISSION

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## Executive Summary

This report provides an analysis of use of force incidents recorded by the Milwaukee Police Department (MPD) from January 1, 2023 to December 31, 2023. The data are based on “Use of Force Reports” completed by supervisory officers after an MPD officer uses force. Use of force reporting requirements changed near the end of 2020 to require the reporting of incidents that involved officers pointing a firearm at a person and/or displaying a firearm to effect an arrest. Therefore, some data from 2021 through 2023 are not comparable to previous years.

In total, there were 2,306 use of force incidents in the MPD in 2023. Of this total, four were accidental and 17 involved euthanizing an injured animal. These 21 incidents are excluded from the aggregate analysis in this report because they are fundamentally different from other use of force incidents in their purpose and intent. Accordingly, 2,285 use of force incidents were analyzed in this report. Further, of the 2,285 incidents, 1,333 involved displaying and/or pointing a firearm only, the categories of force made reportable in 2020; 952 involved other types of force (e.g., hands-on physical force, the discharge of weapons). For the main analyses in this report, the subset of 952 incidents was analyzed. When appropriate, analyses were also conducted on the full set of 2,285 incidents. Findings related to the full set of 2,285 incidents are reported in the footnotes.

Of the subset of 952 incidents, 946 incidents involved a person (the other six incidents involved a dog only), and in 877 incidents at least one person was arrested. A total of 1,011 people were arrested in these 877 incidents. In 2023, eight percent of arrests made by the MPD involved hands-on physical force and/or the discharge of weapons. When “pointing and/or display of a firearm only” incidents are included in the calculation, 19.2% of arrests involved the use of force in 2023.

Other key findings based on the analysis of the subset of 952 incidents include:

- The most common type of force used by officers was “bodily force only.”
- Of the incidents that involved a person, approximately 50% resulted in injuries to that person. When injuries were sustained, “complaint of pain” was the most common.
- There were ten incidents that involved a firearm discharge at a person. Two of these incidents involved subjects sustaining fatal gunshot injuries.
- There were six incidents that involved force being used against one or more dogs. Four of the six incidents involved the discharge of a firearm at a dog. Two dogs sustained fatal injuries. The number of incidents in 2023 that involved the discharge of a firearm at a dog was near an all-time low (since 2009).
- Sixteen officers discharged their firearms in a use of force incident in 2023 (including accidental discharges and discharges directed toward a person or dog, not including euthanizing an injured animal). No individual officer was involved in more than one of these incidents.

- Police Districts 3 and 7 had the most use of force incidents in 2023 and combined accounted for approximately 43% of all force incidents in the city in 2023. Police Districts 3 and 7 also accounted for approximately 37% of all arrests in the city in 2023.
- When comparing the subset of 952 incidents (those incidents that involved hands-on physical force and/or the discharge of weapons) to the full set of 2,285 incidents (i.e., the 1,333 incidents that involved “displaying and/or pointing a firearm only” and the 952 incidents that involved other types of force), there were five notable differences in findings:
  - “Pointing/display only” incidents involved more subjects and more officers per incident than those incidents that involved hands-on physical force and/or the discharge of weapons.
  - “Pointing/display only” incidents were less likely to involve subjects who resisted arrest compared to those incidents that involved hands-on physical force and/or the discharge of weapons.
  - “Pointing/display only” incidents were less likely to involve subjects who were under the influence of drugs and/or alcohol compared to those incidents that involved hands-on physical force and/or the discharge of weapons.
  - When analyzing the full set of 2,285 incidents, a larger proportion of MPD officers used force compared to when only the subset of 952 incidents were considered.
  - As previously noted, when analyzing the full set of 2,285 incidents, a larger proportion of arrests involved the use of force compared to when only the subset of 952 incidents were considered.
- There were 22 use of force incidents that prompted investigations. These 22 incidents involved 54 use of force allegations and 32 officers. The investigations resulted in various outcomes.

The report elaborates on these and other findings.

## Introduction

This report provides an analysis of use of force incidents recorded by the Milwaukee Police Department (MPD) from January 1, 2023 to December 31, 2023. The 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 MPD.<sup>1</sup> The purpose of this report is to provide information on use of force incidents in order to monitor changes in patterns, trends, and frequency of use of force incidents over time. The report is divided into two main sections: (1) types and frequency of force incidents and (2) descriptive characteristics of force incidents. The report concludes with a summary of the findings.

The data analyzed here are based on “Use of Force Reports” completed by supervisory officers after an MPD officer uses force. MPD officers are required to notify a supervisor when they use certain forms of force. The supervisor is then required to complete a “Use of Force” report. Specifically, 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 in the line of duty;
- (d) Discharges an irritant, chemical, or inflammatory agent;
- (e) Deploys a Conducted Energy Weapon (CEW), to include contact stun and probe deployment;
- (f) Department canine bites a person (except during a training session);
- (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.

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<sup>1</sup> Every report was written by me except for the 2019 report which was written by David Gelting, the FPC Policy Analyst during that time.

Importantly, MPD Use of Force policy 460.50 changed in December, 2020. This change required additional incidents to be reported as uses of force. Specifically, whenever an officer points a firearm at a person (item b above) it must be reported and whenever an officer draws or displays a firearm to effect an arrest or seizure of a person (item j above) it must be reported. *As a result of this policy change, the aggregate number of force incidents in 2023 is not comparable to years prior to 2021 when these types of force were not required to be reported.* In addition, prior to January 1, 2013, incidents that involved “bodily force only” without injury or complaint of injury from the subject were not required to be reported; starting January 1, 2013 those incidents were required to be reported. As a result of this policy change, some of the data from 2013 onward are not comparable to the data from 2009 to 2012.

The “Use of Force Reports” provide descriptive details on each use of force incident. The data relate to the incident (e.g., date of incident, district of incident, types of force used in the incident) as well as the officers (e.g., officer age, officer rank) and subjects (e.g., subject age, race) involved in the incident. These data are contained in the MPD Administrative Investigation Management (AIM) system. I received these data in Excel format from Barbara Cooley, Research and Policy Analyst of the Fire and Police Commission (FPC), on February 28, 2024. I converted the data to the Statistical Package for the Social Sciences (SPSS) for analysis. In addition, I received information on MPD use of force internal investigations (see p. 26) from the FPC on May 29, 2024.

Along with the entry of data into the AIM system for each use of force incident, narrative descriptions of each incident were also written by supervisory officers at the time of the incident. These written narratives are based on information obtained from the officers and subjects involved; witnesses; and body-worn camera and/or other video, if available. These narratives are stored in the AIM system. The 2023 narratives in aggregate were 16,902 pages in length. In

preparing this report, I used the narratives to verify and/or supplement the AIM system data of some of the cases (e.g., circumstances of accidental incidents). Tallies of previous years' cases were obtained from previous use of force annual reports. I received additional data directly from the MPD on the number of officers employed in the MPD, the number of calls responded to by the MPD, and the number of arrests made by the MPD in 2023.

## Types and Frequency of Force

### *Number of Force Incidents*

From January 1, 2023 to December 31, 2023, there were 2,306 use of force incidents recorded by the MPD. Of these 2,306 incidents, four were accidental<sup>2</sup> and 17 involved euthanizing an injured animal.<sup>3</sup> These 21 incidents are excluded from the aggregate analysis in this report because they are fundamentally different from other use of force incidents in their purpose and intent. Accordingly, in 2023 there were 2,285 use of force incidents in the MPD. These 2,285 incidents are analyzed in this report. Further, of the 2,285 incidents, 1,333 (58.3% of the total number of incidents) involved displaying and/or pointing a firearm only, the categories of force made reportable in December 2020 (see Table 1). A police officer displaying and/or pointing a firearm at a citizen is serious; however, these incidents are substantially different from incidents that involve hands-on physical force or the discharge of a weapon. As a result, incidents that involved “displaying or pointing a firearm only” are most often analyzed separately and the findings are reported in footnotes.

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<sup>2</sup> In addition to these four incidents, there were six incidents that involved intentional *and* accidental force. These ten incidents are described later in the report (p. 24).

<sup>3</sup> All of these incidents involved deer and the discharge of a firearm.

Figure 1 shows the total number of force incidents in 2021 to 2023, the full years in which “pointing and/or display of firearm only” incidents are included in the data. The number of incidents increased from 1,905 in 2021 to 2,285 in 2023.

**Figure 1. Total Number of Force Incidents, 2021-2023**

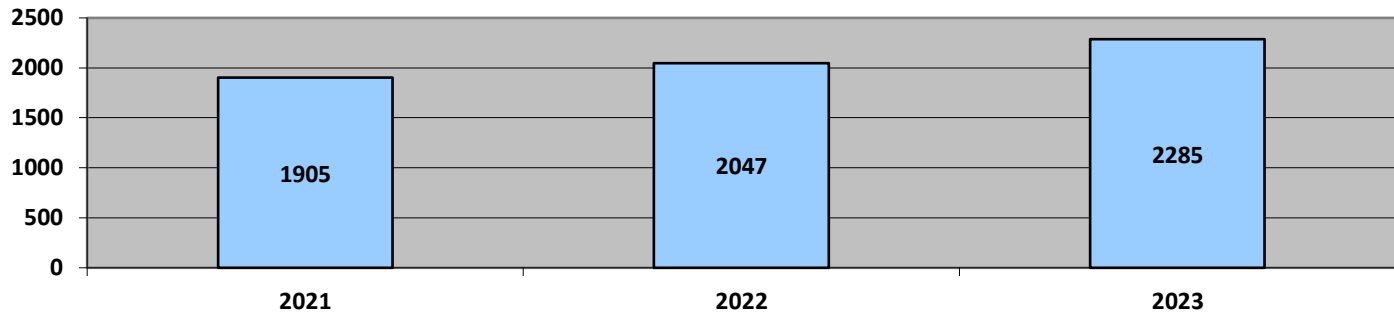
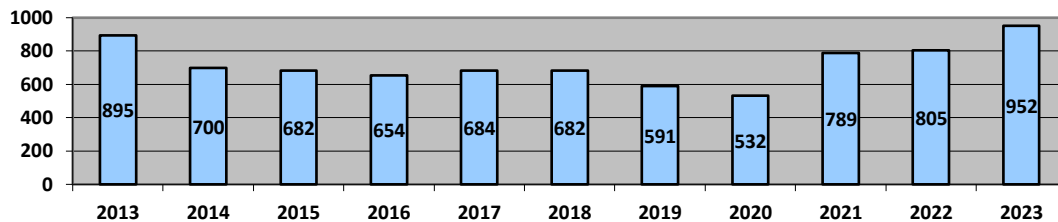


Figure 2 shows the number of force incidents in years 2013 to 2023 when “pointing and/or display of firearm only” incidents are excluded from the data. In 2023, there were 952 incidents of force, excluding those that involved “pointing and/or display of firearm only.”

**Figure 2. Number of Force Incidents, 2013-2023**



Notes: The 2020 total excludes 45 incidents that involved pointing or displaying a firearm only (recall, the policy to require the reporting of “pointing and/or displaying a firearm only” was implemented December 2020). The 2021 total excludes 1,116 incidents that involved pointing or displaying a firearm only. The 2022 total excludes 1,242 incidents that involved pointing or displaying a firearm only. The 2023 total excludes 1,333 incidents that involved pointing or displaying a firearm only.



In addition, in 2023, six incidents involved force being used exclusively against one or more dogs. These incidents are included in most of the aggregate totals analyzed in this report and are also analyzed separately (see p. 23).

### *Types of Force Used by Officers*

With regard to the types of force used by the officer(s) in the incident, it is seen in Table 1 that the largest proportion of incidents (32.0%) involved “pointing firearm only.” The second most common type of force used by officers was “bodily force only” (17.9%).<sup>4</sup> Again, the incidents that involved “pointing and/or displaying a firearm only” are excluded from the main analyses in this report because these incidents are substantially different than those involving other types of force.

In total, 14 incidents involved the discharge of a firearm (highlighted in **bold** in Table 1). As discussed in more detail below, ten of these 14 incidents involved a subject, four involved a dog. Clearly, in a relative and absolute sense, the discharge of a firearm in a use of force incident was an uncommon event.

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<sup>4</sup> The most common form of bodily force was “decentralization.”

Table 1. Types of Force Used by Officers, 2023

Type of Forced Used	Frequency	Percentage
Pointing Firearm Only	732	32.0
Bodily Force Only	408	17.9
Pointing and Display of Firearm Only	381	16.7
Display of Firearm Only	220	9.6
CEW Only*	46	2.0
Chemical Agent Only (OC)**	14	.61
<b>Firearm Discharge Only</b>	<b>13</b>	<b>.57</b>
Baton Only	0	-
Handcuffing Only	16	.70
Bodily Force and Pointing Firearm	140	6.1
Bodily Force and Handcuffing	79	3.5
Pointing, Display, Bodily Force	46	2.0
CEW and Bodily Force	40	1.8
Display and Bodily Force	19	.83
Pointing and CEW	17	.74
Pointing, Display, Bodily Force, Handcuffing	13	.57
Pointing, Display, Handcuffing	13	.57
Pointing and Handcuffing	12	.53
Pointing, Bodily Force, Handcuffing	11	.48
Pointing, Bodily Force, CEW	11	.48
Display and Handcuffing	5	.22
Bodily Force and OC	5	.22
Pointing, Display, CEW	5	.22
Pointing and OC	4	.18
ECD, Bodily Force, and Handcuffing	4	.18
Display, Bodily Force, CEW	4	.18
Pointing, Bodily Force, CEW, Handcuffing	3	.13
Display and OC	2	.08
CEW and Display	2	.08
CEW and OC	2	.08
Display, Bodily Force, Handcuffing	2	.08
Bodily Force and Forced Blood Draw	2	.08
Pointing and Canine	2	.08
Pointing, Display, CEW, Bodily Force, Handcuffing	1	.04
Pointing, Display, Bodily Force, CEW	1	.04
Bodily Force and Baton	1	.04
Bodily Force, CEW, Baton, Handcuffing	1	.04
Bodily Force, OC, Handcuffing	1	.04
Forced Blood Draw	1	.04
OC and Handcuffing	1	.04
Pointing, Display, Blood Draw	1	.04
Pointing, OC, CEW, Less Lethal	1	.04
Pointing, Display, OC, Bodily Force	1	.04
Display, Bodily Force, Handcuffing, Blood Draw	1	.04
<b>Firearm Discharge, Pointing, Display</b>	<b>1</b>	<b>.04</b>
Total	2,285	99.97

Table 1 Notes: Total percentage does not equal 100 due to rounding; \*CEW refers to Conducted Energy Weapon (Taser); \*\*OC refers to Oleoresin Capsicum spray

Additional analyses were performed to examine patterns in the types of force used over time (Table 2; Figure 3). These analyses are limited to incidents that involved the use of a chemical agent (OC Spray), a CEW (Taser), or the firing of a firearm.<sup>5</sup> The findings show:

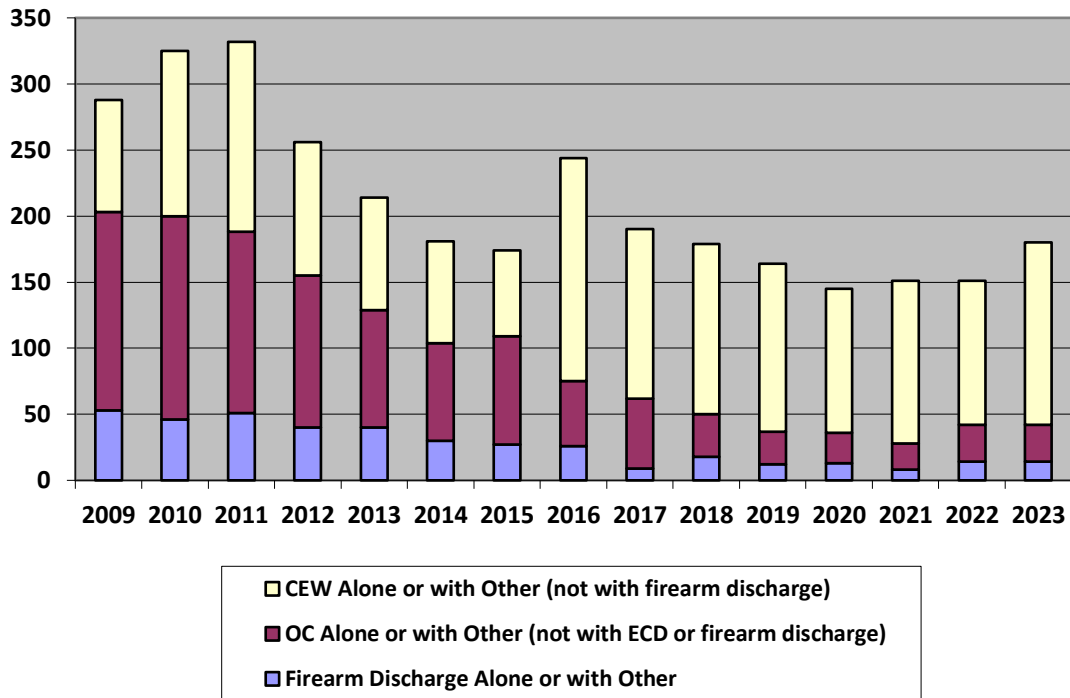
- From 2009 to 2023 there has been a decline in police firearm discharges. The 2017 and 2021 totals appear unusually low in the overall trend.
- Police use of a CEW increased in frequency from 2009 to 2011, declined from 2012 to 2015, dramatically increased in 2016, declined in 2017 and remained mostly steady until an increase in 2023.
- Regarding the use of OC spray, there was a steady decline from 2009 to 2016, a slight increase in 2017, and a large decrease in 2018. The use of OC spray has remained relatively stable since 2018.

Table 2. Type of Force Used, by Year (Number of Incidents)

Type of Force Used	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Firearm Discharge Alone or with Other	53	46	51	40	40	30	27	26	9	18	12	13	8	14	14
CEW Alone or with Other (not with firearm discharge)	85	125	144	101	85	77	65	169	128	129	127	109	123	109	138
OC Alone or with Other (not with CEW or firearm discharge)	150	154	137	115	89	74	82	49	53	32	25	23	20	28	28

<sup>5</sup> The 2013 use of force reporting policy change does not preclude an analysis of weapon use (OC Spray, Taser, or firearm discharge) across years but it does preclude an analysis of “bodily force only” incidents. Since 2009, all incidents that involved the use of OC spray, a Taser, or a firearm discharge were required to be reported. However, bodily force incidents that did not result in a citizen injury, or a citizen complaint of an injury, were not required to be reported until 2013.

**Figure 2. Type of Force Used, by Year**



*Frequency of Force and Arrests*

Because most use of force incidents occur during arrests, it is necessary to consider the number of force incidents in relation to the number of arrests made. In this calculation, it is necessary to examine the force incidents that also involved an arrest. Again, in 2023 there were 952 use of force incidents (not including “display and/or pointing of firearm only”). Of these 952 incidents, 946 involved a person (6 incidents involved a dog only). Of these 946 incidents that involved a person, in 877 of them at least one person was arrested (92.7%).<sup>6</sup> In the 877 incidents a total of 1,011 people were arrested. Also, during 2023, MPD officers made a total of 12,521

<sup>6</sup> For example, a person may not be arrested if the incident involved a suicide attempt, a drug overdose, or a mental health crisis; if the person escapes; or if it is determined that a crime was not committed. When the “display and/or pointing a firearm only” incidents are included in the calculation, 87.6% of incidents (1,997 incidents out of 2,279) involved at least one arrest. In these 1,997 incidents, a total of 2,407 people were arrested.

arrests. Accordingly, in 2023, 8.07% of all arrests involved the use of force ( $1,011 \div 12,521 \times 100 = 8.07$ ).<sup>7</sup>

#### *Frequency of Force by Calls for Service*

Dispatched calls for service represent a rough estimate of the frequency of contact between police officers and citizens. It is an estimate of police-citizen contacts primarily because it does not include officer proactive activity (i.e., self-initiated activities such as traffic stops). Nevertheless, calls for service can provide a basis on which to assess the relative frequency of use of force incidents. In 2023, the MPD handled 268,537 calls for service. Again, there were 952 use of force incidents during this time. Accordingly, approximately .35% of calls for service involved the police use of force ( $952 \div 268,537 \times 100 = 0.35$ )<sup>8</sup>. Stated differently, for every 1,000 calls for service there were approximately four use of force incidents.

#### *Frequency of Force by Month of Year*

With a total of 952 incidents occurring from January 1, 2023 to December 31, 2023, there was an average of approximately 79 use of force incidents per month. Table 3 provides a breakdown of incidents by month. The largest proportion of incidents occurred May through September.<sup>9</sup>

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<sup>7</sup> When “pointing and/or display of a firearm only” incidents are included in the calculation, 19.2% of arrests involved the use of force in 2023 ( $2,407 \div 12,521 \times 100 = 19.2$ ).

<sup>8</sup> When “pointing and/or display of a firearm only” incidents are included in the calculation, .85% of calls for service involved the use of force in 2023 ( $2,285 \div 268,537 \times 100 = .85$ ).

<sup>9</sup> When “pointing and/or display of a firearm only” incidents are included, there was an average of approximately 190 incidents per month. There is minimal change in the distribution of incidents across month.

Table 3. Use of Force Incidents by Month

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
60	55	72	76	91	75	86	80	100	88	90	79	952

It is worthwhile to examine the number of force incidents and the number of arrests by month. Table 4 provides the number of force incidents that involved an arrest and the total number of arrests made by month.

Table 4. Use of Force Arrest Incidents and Total Number of Arrests Made, by Month

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Number of Use of Force Incidents That Involved an Arrest	54	51	64	66	84	70	78	68	96	82	87	77	877
Total Number of Arrests Made	1093	882	1038	1007	1183	1104	1099	1062	1044	1025	973	1018	12521

Table 4 shows that, in general, months with more arrests have slightly more use of force incidents.<sup>10</sup>

*Frequency of Force by Time of Day*

With 952 incidents occurring from January 1, 2023 to December 31, 2023, there was an average of approximately 2.61 use of force incidents per day. These incidents did not occur

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<sup>10</sup> When “pointing and/or display of a firearm only” incidents are included, this conclusion is still valid.

randomly throughout the day. As seen in Table 5, more than half occurred between 4:01 p.m. and 11:59 p.m., which approximates the MPD “Early” shift.<sup>11</sup>

Table 5. Use of Force Incidents by Time of Day

Time / Shift	Frequency	Percentage
8:01am-4pm / Day	234	24.6
4:01pm-11:59pm / Early	511	53.7
12am-8am / Late	207	21.7
Total	952	100.0

*Frequency of Force by Aldermanic District*

Table 6 shows the distribution of force incidents by Aldermanic District.

Table 6. Location of Use of Force Incidents: Aldermanic District

Aldermanic District	Frequency	Percentage
1	80	8.5
2	84	8.9
3	33	3.5
4	81	8.6
5	31	3.3
6	89	9.5
7	70	7.5
8	59	6.3
9	58	6.2
10	48	5.1
11	17	1.8
12	90	9.6
13	19	2.0
14	19	2.0
15	161	17.1
Total	939	99.9

Notes: In 13 cases the Aldermanic District was not recorded; these 13 cases are not included here. Percentage does not total 100 due to rounding.

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<sup>11</sup> When “pointing and/or display of a firearm only” incidents are included, fewer incidents occurred during the “Early” shift (47%) and more occurred during the “Day” (30%) and “Late” shift (23%).

Aldermanic District 15 had the largest share of use of force incidents (17.1%), while District 11 had the smallest share (1.8%).<sup>12</sup>

*Frequency of Force by Police District*

Table 7 shows the number of force incidents for each police district in 2023 along with the corresponding percentage of total incidents. In 2023, District 3 accounted for 24.2% of all use of force incidents in the city, followed by District 7 (18.3%).<sup>13</sup>

Table 7. Location of Use of Force Incidents: Police District

Police District	Frequency	Percentage
1	60	6.4
2	154	16.3
3	228	24.2
4	154	16.3
5	128	13.6
6	46	4.9
7	172	18.3
Total	942	100.0

Note: In 10 cases the police district was not recorded; these 10 cases are not included here.

The percentage of incidents for each police district for 2019 through 2023 is graphically represented in Figure 4. In 2019, 2020, and 2021, District 5 accounted for the greatest share of incidents. In 2022 and 2023, District 3 accounted for the greatest share of incidents. Considering

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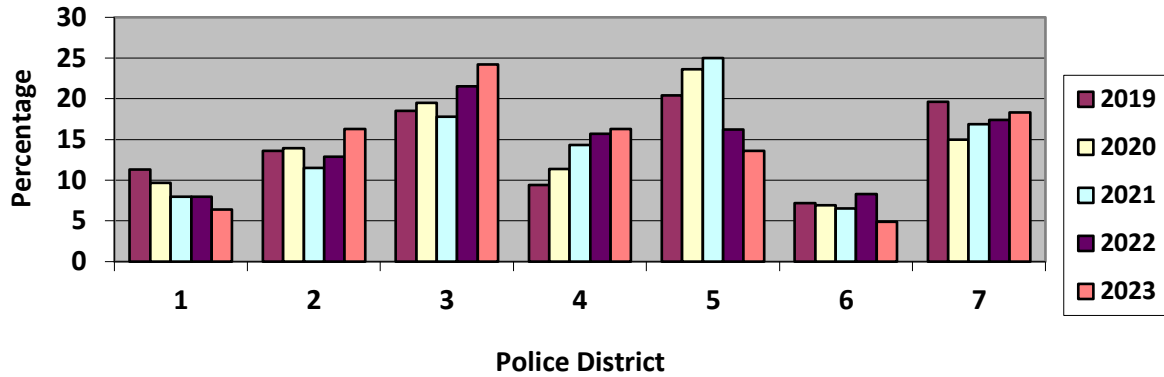
<sup>12</sup> When “pointing and/or display of a firearm only” incidents are included, there is minimal change in the distribution of incidents across Aldermanic Districts.

<sup>13</sup> When “pointing and/or display of a firearm only” incidents are included, the distribution of incidents across police districts is very similar. Districts 3 and 7 account for the largest share of incidents.



the entire timeframe, Districts 3, 5, and 7 stand out from the others in having the greatest share of incidents, although the percentage in District 5 dropped to fifth place by 2023. It is also noteworthy that each year the share of incidents attributable to District 4 has increased and the share attributable to District 1 has decreased.

**Figure 4. Percentage of Use of Force Incidents by Police District, 2019-2023**



*Use of Force, Arrests, and Police District*

Given the variation in the number of force incidents across police district (Table 7), it may be useful to explore possible corresponding variation in the frequency of force in relation to arrests across districts. Table 8 shows the total number of subjects arrested, the number of subjects that were arrested in use of force incidents, and the percentage of arrests that involved use of force for each district ( $\text{subjects arrested in force incidents} \div \text{total subjects arrested} \times 100 = \text{percent of arrests that involved force}$ ) in 2023.

Table 8. Arrests that Involved Use of Force by Police District, 2023

Police District	Total Number of Subjects Arrested (1)	Number of Subjects Arrested in Use of Force Incidents (2)	Percent of Arrests that Involved Use of Force
1	585	55	9.40
2	1,845	171	9.27
3	2,339	241	10.30
4	2,165	171	7.90
5	1,799	132	7.34
6	932	41	4.40
7	2,343	188	8.02

Notes: (1) 513 arrests are excluded because the arrest could not be placed in a district due to the address of the arrest being unknown or out of the city. (2) In 12 arrests the police district was not recorded; these cases are not included here.

The results in Table 8 show that, in each district, a small proportion of arrests involve the use of force; arrests that involve the use of force ranges from 4.40% in District 6 to 10.30% in District 3. Overall, the percentage of arrests that involved force was similar in each district except for District 6.

*Use of Force, Calls for Service, and Police District*

Another way to explore the variation in the number of force incidents across police districts is to examine the frequency of force incidents in relation to calls for service across police districts. Table 9 shows the number of calls for service, the number of force incidents, and the calculated number of use of force incidents per 1,000 calls for service for each district in 2023 (use of force incidents ÷ calls for service × 1,000 = number of force incidents per 1,000 calls for service).

Table 9. Use of Force Incidents per 1,000 Calls for Service by Police District, 2023

Police District	Total Calls for Service (1)	Number of Use of Force Incidents (2)	Number of Use of Force Incidents per 1,000 Calls for Service
1	24,158	60	2.5
2	37,655	154	4.1
3	45,472	228	5.0
4	39,583	154	3.9
5	45,552	128	2.8
6	24,745	46	1.9
7	49,260	172	3.5

Notes: (1) 2,112 calls for service are excluded due to unknown district. (2) In 10 cases the police district was not recorded; these cases are not included here. (3) Call for service data were obtained from the MPD Computer Aided Dispatch and consist of distinct dispatched calls for service for the time period of January 1 - December 31, 2023. These data do not include proactive activity, canceled calls, training units and training calls, Priority 5 calls, misdials, calls where a primary unit was not assigned, or calls with a disposition type of MCSO (Milwaukee County Sheriff's Office), DRU (Differential Response Unit), or MFD (Milwaukee Fire Department). The police district reflects the location of the call rather than the work location of responding officers.

Table 9 shows that Police District 7 had the highest number of calls for service in 2023, followed closely by District 5 and District 3. As noted earlier, Districts 3 and 7 account for the largest share of force incidents. When considering the number of force incidents per 1,000 calls for service, District 3 has the highest rate (5 use of force incidents for each 1,000 calls for service), and District 6 has the lowest rate (less than 2 force incidents for every 1,000 calls for service).

## Descriptive Characteristics of Use of Force Incidents

Along with providing information about the types and frequency of force, this report also seeks to provide an understanding of the circumstances of use of force incidents. The following characteristics of use of force incidents are discussed here: (1) characteristics of officers involved in force incidents; (2) the characteristics of subjects involved in force incidents; (3) injuries to subjects in force incidents; (4) injuries to officers in force incidents; (5) deadly force used against people; (6) force used against dogs; and (7) accidental use of force incidents. This section concludes with a brief discussion of MPD Internal Affairs investigations into use of force incidents.

### *Characteristics of Officers Involved in Use of Force Incidents*

In the largest proportion of incidents (370 out of 952; 38.9%) one officer used force. In 345 incidents (36.2%), two officers used force, and 129 incidents (13.6%) involved three or more officers. On average, 2.11 officers were involved in each use of force incident.<sup>14</sup> The 952 use of force incidents involved 701 different MPD officers. At the end of 2023, the MPD employed 1,594 sworn officers. As such, 44% of all MPD officers ( $701 \div 1,594 \times 100 = 44.0$ ) were involved in at least one use of force incident in 2023.<sup>15</sup> There were 16 officers who discharged their firearms in 2023 (including accidental discharges, and discharges directed toward a person or dog). No officers were involved in more than one of these incidents.

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<sup>14</sup> When all 2,285 incidents are included in the calculation, an average of 2.2 officers were involved in each incident.

<sup>15</sup> When all 2,285 incidents are included in the calculation, there were 855 different officers who used force in 2023 which equates to approximately 54% of all MPD officers.

In 95% of the incidents,<sup>16</sup> the first officer involved was male, in 62% the officer was white, in 97% of incidents the officer was in uniform, in 99% of the incidents the officer was on-duty, and in 88% of incidents the officer was assigned to squad patrol. The average (mean) age of the first officer was 36 (ages ranged from 22 to 60) and the average length of service was nine years.<sup>17</sup>

### *Characteristics of Subjects Involved in Use of Force Incidents*

Most incidents (85.3%; 807 out of 946) involved just one subject; 139 of the 946 incidents (14.7%) involved two or more subjects.<sup>18</sup> On average, 1.22 subjects were involved in each incident.<sup>19</sup> In 85% of the incidents the first subject involved was male; in 80% the subject was Black.<sup>20</sup> The average age of the first subject was 29 years (subject ages ranged from 11 to 70; 12% of subjects were under the age of 18, and 2% were 60 or older). In 23% the subject was under the influence of alcohol and/or drugs. In 76% of incidents, the officer noted that the subject resisted arrest.<sup>21</sup> In 19% of incidents the subject was armed with a weapon (not including

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<sup>16</sup> Due to the structure of the data set, most descriptive statements regarding the officers relate only to the first officer involved; percentages are rounded.

<sup>17</sup> When all force incidents are included in the analyses, there is minimal change in these findings.

<sup>18</sup> Excluded from these analyses are the incidents that involved a dog only.

<sup>19</sup> When all 2,279 incidents are included in the calculation, an average of 1.37 subjects were involved in each incident and 22% of the incidents involved two or more subjects.

<sup>20</sup> Percentages are rounded. Due to the structure of the data, the descriptive statements relate only to the first subject involved.

<sup>21</sup> When all 2,279 incidents are included, only 47% (versus 76%) of subjects resisted arrest during the incident, and 14% of incidents (versus 23%) involved a subject who was under the influence of alcohol and/or drugs.

personal weapons such as fists or feet); when armed with a weapon, it was most often a firearm (68%).

Analyses were conducted to examine possible disparities in subjects' race and sex in involvement in use of force incidents and arrests. Table 10 shows the representation of subjects, by race and sex, in use of force incidents and total citywide arrests made by the MPD in 2023.

Table 10. Race and Sex of Subjects in Force Incidents and Arrests, 2023

		Black	Hispanic	White	Other	Female	Male
Subjects Involved in a Use of Force Incident (1)	Number	721	65	112	8	86	480
	Percentage	79.6%	7.2%	12.4%	.9%	15.2	84.8
Subjects Arrested Citywide (2)	Number	9506	1622	1208	183	2861	9660
	Percentage	75.9%	13.0%	9.6%	1.5%	22.8%	77.2%

Notes: (1) In 40 cases, the subject's race was not recorded in the AIM system and in 380 cases the subject's sex was not recorded in the AIM system. These cases are not included here. (2) In two cases, the subject's race was not recorded in the arrest system. These cases are not included here.

It is seen in Table 10 that Hispanics and females were underrepresented as subjects in use of force incidents compared to their representation as arrestees. Black, White, and especially male subjects were overrepresented in use of force incidents compared to their representation as arrestees.<sup>22</sup> Blacks accounted for 75.9% of all arrestees in 2023 and 79.6% of use of force subjects. Whites accounted for 9.6% of arrestees and 12.4% of use of force subjects. Males accounted for 77.2% of arrestees and 84.8% of use of force subjects.

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<sup>22</sup> When all incidents are included, the same conclusions are true.

### *Injuries to Subjects in Use of Force Incidents*

Injuries to subjects were classified by the MPD into the following categories in the AIM system:

- No injury
- Minor
- Moderate
- Major
- Fatal
- OC Related Only
- ECD Related Only

Overall, of the 946 incidents that involved physical force or the discharge of a weapon, in 473 (50.0%) the subject sustained injuries.<sup>23</sup> When subjects were injured, most of the time (346 of 473; 73.2%) those injuries were classified as “minor.” In 25 incidents the injuries were classified as “moderate.” In three incidents, injuries were “major.” Two incidents resulted in fatal injuries to a subject (see p. 22). The remaining injuries were specified as “CEW or OC related only.” As for the type of injury sustained, “complaint of pain” was the most common. Table 11 shows the type of injury sustained by subjects within each injury category.

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<sup>23</sup> Due to the structure of the data, these findings relate only to the first subject involved. Incidents that involved dogs were not included.

Table 11. Type of Injury Sustained by Subjects, by Injury Category

Injury Category	Type of Injury								Total
	Abrasion/ Cut/ Laceration	Broken Bones/ Teeth	Bruise/ Contusion	Complaint Of Pain	Eye/ Respiratory	Gun Shot Wound	Dog Bite	N o n e	
Minor	125	1	34	179	2	1	1	3	346
Moderate	11	10	1	1		2			25
Major		1				2			3
Fatal						2			2
OC Related Only				3	5			2	10
CEW Related Only	6			13				1	20
None	2			65					67
Total	144	12	35	261	7	7	1	6	473

Notes: In 67 incidents the injury category was coded as “none” in the AIM system; in six incidents the type of injury was coded as “none” in AIMS. It is unknown why the “None” category was sometimes used when coding injuries.

It is important to note that certain forms of force were more likely than others to lead to injuries to subjects. Forty percent of the time a firearm was used against a subject it led to fatal injuries (2 of 10 incidents; 20%) or “major” injuries (2 out of 10 incidents; 20%). No other type of force caused fatal injuries. As noted earlier (Table1), “bodily force only” was by far the most common type of physical force used against subjects. Most of the time (61%) when bodily force alone was used by officers a subject was not injured. In an additional 35% of the “bodily force only” incidents, injuries to the subject were classified as “minor.” In one incident, bodily force resulted in “major” injury.



### *Injuries to Officers in Use of Force Incidents*

Of the 952 incidents that involved physical force or the discharge of a weapon, in ten percent officers were injured.<sup>24</sup> Analyses also reveal that certain types of force were more likely than others to lead to *officer* injuries. Specifically, officers were more likely to be injured when using bodily force than when using other types of force. Fifty-three percent of the time that officers were injured during use of force incidents it was when officers used “bodily force only;” however, only 12% of all “bodily force only” incidents resulted in injury to officers.

### *Deadly Force Used Against People*

In 2023, there were ten incidents that involved the use of deadly force (the discharge of a firearm) against a subject. In these ten incidents:

- Two subjects sustained fatal gunshot injuries
- Seven subjects sustained non-fatal gunshot injuries
- Three subjects did not sustain any gunshot injuries (i.e., a subject was shot at but not struck).

All ten of the incidents involved subjects who were armed with a firearm. These incidents related to a variety of calls including a subject with a gun, shots fired, carjacking, vehicle theft, and a search for a wanted person. All ten incidents involved on-duty officers.

Table 12 shows the frequency of incidents where a person was the focus of a firearm discharge from 2009 to 2023. It is seen that there has been a substantial but uneven decline in these incidents since 2009 with a low of five incidents in each of 2017, 2018, 2019, and 2021.

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<sup>24</sup> Due to the structure of the data, these statements relate to the first officer involved.

Table 12. A Person as the Focus of Police Firearm Discharge, by Year (Number of Incidents)

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Number	14	12	15	9	14	8	12	7	5	5	5	7	5	10	10

*Deadly and Other Force Used Against Dogs*

In 2023, six incidents involved some type of force being used against at least one dog. One dog was involved in each incident. Of the six dogs, four were pit bulls and two were of unspecified or unknown breed.

Four of the six incidents involved the discharge of a firearm, three incidents involved the use of a CEW. No officers were bitten by the dog in these incidents. Most of the calls which summoned officers to the scene were about a loose dog.

Regarding *deadly* force used against dogs specifically, in 2023 there were four incidents that involved the use of deadly force (the discharge of a firearm) against a dog. In these four incidents, two dogs were struck by gunfire and died; in the other two incidents, a dog was shot at but not struck.

Table 13 shows the frequency of incidents where dogs were the focus of a firearm discharge from 2009 to 2023. There has been a substantial and steady decline in the number of firearm discharge incidents that involve a dog, with 2023 being at a near record low.

Table 13. A Dog as the Focus of Police Firearm Discharge, by Year (Number of Incidents)

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Number	39	34	36	31	26	22	15	19	4	13	7	6	3	4	4

Unfortunately, it is difficult to put these dog-related incidents into perspective as no reliable estimates of the number of dogs, by breed, in Milwaukee were located, nor are there statistics that indicate the number of dogs that are confronted by MPD officers but upon which force is not used.

*Accidental Use of Force Incidents*

There were ten incidents in 2023 where force was used accidentally. In these incidents officers used one of the types of force that was required to be reported but that force was not intentionally used. Four incidents involved accidental force only, six incidents involved intentional *and* accidental force. As noted earlier, the four accidental incidents that involved accidental force only were not included in any of the prior analyses conducted for this report. Table 14 shows the types of force that were used accidentally in 2023.

Table 14. Types of Forced Used Accidentally, 2023

Type of Force	Frequency	Percentage
Firearm Discharge – Officer’s Gun	1	10.0
Firearm Discharge – Subject’s Gun	1	10.0
Bodily Force	2	20.0
CEW Discharge	5	50.0
Police Canine Bite	1	10.0
Total	10	100.0

Injuries were sustained in the police canine incident (an officer was bitten), in one of the firearm discharge incidents (an officer sustained a firearm-related burn to his hand from the firing of a subject’s gun), in one of the CEW incidents (an officer was struck), and in both of the bodily force incidents (subjects were injured).

One firearm discharge (subject’s gun) occurred on police premises where the bullet struck a chair; the other firearm discharge (officer’s gun) occurred on-scene where the bullet struck a brick wall. With regard to the five accidental discharges of CEWs, two occurred on police department premises during a standard pre-shift test of the weapon, three occurred on-scene.

Table 15 shows the subset of accidental discharges of police firearms from 2009 to 2023. There were 51 accidental firearm discharges from 2009 to 2023. The number per year has varied from zero (in 2017) to eight (in 2020). In four of the 51 incidents, an officer was injured as a result of the accidental discharge; in four other incidents a subject was injured. None of the injuries were life-threatening.

Table 15. Accidental Discharges of Police Firearms, by Year (Number of Incidents)

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Number	4	2	7	1	5	3	3	5	0	2	4	8	2	4	1

*Use of Force Internal Investigations*

As explained previously in this report, when officers notify their supervisors that they used force in an incident, supervisors are required to collect the facts about the incident via interviews with the officer(s) involved, other officers at the scene, the subject(s) involved, other witnesses at the scene, and through review of body camera and/or other video footage of the incident. The supervisor is then required to write a narrative report which contains this information. In some instances, use of force incidents come to the attention of the MPD Internal Affairs Division for further investigation. Internal Affairs investigations can be initiated as a result of citizen complaints, internally generated complaints, and/or supervisory referrals. All

critical incidents are also investigated by Internal Affairs.<sup>25</sup> Information on the cases investigated by Internal Affairs was obtained for this report via the Fire and Police Commission. These cases are briefly summarized here.

In 2023, 22 use of force incidents resulted in investigations.<sup>26</sup> The 22 incidents involved 32 officers and 54 allegations. An incident could involve several officers, more than one allegation could be made against each officer, and an allegation could involve more than the use of one type of force. Of the 54 allegations, 17 involved the use of a firearm (9 involved “pointing/display only”), five involved the use of a CEW, one involved the use of a chemical agent, five involved handcuffing, and 32 involved the use of bodily force. Twelve of the 22 investigations resulted in charges being sustained against 17 officers. The 12 investigations resulted in the following outcomes:

- In seven investigations, eight officers received a district-level reprimand.
- In one investigation, one officer received an official reprimand.
- In one investigation, two officers each received a four-day suspension.
- In one investigation, two officers each received a seven-day suspension and two other officers each received a ten-day suspension.
- In one investigation, one officer received a 15-day suspension.

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<sup>25</sup> According to MPD SOP 453: Critical incidents (a) involve “a death of an individual that results directly from an action or an omission of a law enforcement officer while the law enforcement officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of his or her law enforcement duties,” and (b) involve a department member that results in death or great bodily harm to a person that is caused by a member’s actions, occurs while in police custody, or any incident that the Chief of Police, or his/her designee (must be assistant chief or inspector rank), declare a critical incident. Any injury to a person as a result of a firearm discharge by a department member, not resulting in death, shall also be considered a critical incident.

<sup>26</sup> FPC investigations that did not result in any finding were not included.

- In one investigation, one officer was discharged.

The remaining investigations remain open.

## Summary

This report is part of a continuing effort on the part of the City of Milwaukee Fire and Police Commission to better understand use of force incidents in the Milwaukee Police Department. Based on an analysis of the reportable incidents that occurred between January 1, 2023 and December 31, 2023, the following summary statements can be made:

- Use of force reporting requirements changed near the end of 2020 to require the reporting of incidents that involved officers pointing a firearm at a person and/or displaying a firearm to effect an arrest. Therefore, some data from 2020, 2021, 2022, and 2023 are not comparable to previous years.
- There were 2,285 force incidents in 2023; 1,333 involved “displaying and/or pointing a firearm only,” 952 involved other types of force (e.g., hands-on physical force, the discharge of weapons) (Table 1).
- For the main analyses in this report, the subset of 952 incidents was analyzed. When appropriate, analyses were also conducted on the full set of 2,285 incidents. Findings regarding the full set of incidents are reported in footnotes.
- Although “pointing and/or displaying firearms only” are substantially different forms of force compared to hands-on physical force and the discharge of weapons, the characteristics of these categories of force are quite similar. When “pointing/display firearm only” incidents were included in the analyses, there were five notable differences in findings: (1) “pointing/display only” incidents involved more officers and subjects per incident; (2) “pointing/display only” incidents were less likely to involve subjects who

resisted arrest; (3) “pointing/display only” incidents were less likely to involve subjects who were under the influence of drugs and/or alcohol; (4) inclusion of “pointing/display only” incidents showed that a larger proportion of MPD officers used force in 2023; and (5) when “pointing/display only” incidents were included in the calculation, a larger proportion of arrests by the MPD involved the use of force.

Regarding the 952 incidents that involved hands-on physical force or the discharge of weapons:

- 946 incidents involved a person, six incidents involved a dog only.
- Out of the 946 incidents that involved a person, in 877 incidents at least one person was arrested (92.7%). In total, 1,011 persons were arrested in these 877 incidents. The MPD made 12,521 arrests in 2023. Therefore, 8.07% of arrests involved the use of force in 2023.
- The most common type of force used by officers was “bodily force only” followed by “bodily force and handcuffing” and “CEW Only.” As noted, when “pointing/display only” incidents were included, the most common type of force was “pointed firearm only” (Table 1).
- There were approximately four use of force incidents for every 1,000 calls for service.
- There were approximately 2.61 use of force incidents per day, varying by month and time of day (Table 3, Table 5).
- Police Districts 3 and 7 had the most use of force incidents in 2023 and combined accounted for approximately 43% of force incidents in the city in 2023 (Table 7).
- Police Districts 3 and 7 had the largest number of arrests made in 2023, and combined accounted for approximately 37% of all arrests in 2023 (Table 8).
- Police District 7 had the largest number of calls for service but not the largest rate of force per 1,000 calls for service (Table 9).

- On an absolute basis, the use of force was a rare event in all districts.
- Approximately 44% of MPD sworn officers were involved in at least one use of force incident in 2023.
- The typical use of force incident in 2023:
  - Involved one police officer and one subject. The officer was a white male, 36 years old, with nine years of service. 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 equally likely to be injured as not injured. If injured, the injury was classified as “minor.” The subject was not armed with a weapon. The incident occurred in Police District 3 between 4:01 pm and 11:59 pm.
- There were 16 officers who discharged their firearms in 2023 (including accidental discharges and discharges directed toward a person or dog). No officers were involved in more than one of these incidents.
- Since 2009, firearm discharges have declined in a steady but uneven manner. In 2009 there were 53 such incidents, in 2023 there were 14 incidents (Table 2). The decline is especially evident with incidents that involved a dog (Table 13).
- Since 2009, use of a chemical agent has declined substantially. The use of a CEW has fluctuated since 2009 (Table 2).
- In 2023, there were ten incidents that involved a firearm discharge at a person. These incidents related to a variety of calls. The number of incidents that involved a firearm discharge at a person has remained relatively stable since 2009 (Table 12).
- In 2023, two incidents involved a subject sustaining a fatal gunshot injury.



- In 2023, there were six incidents that involved force being used against one or more dogs. Most of these incidents related to loose dog complaints. Four of these incidents involved the discharge of a firearm, two involved the discharge of a CEW. Two dogs sustained fatal injuries (gunshot wounds). The number of incidents in 2023 that involved the discharge of a firearm at a dog was near an all-time low (since 2009, Table 13).
- There were ten incidents in 2023 in which force was used accidentally (Table 14). Four of the ten incidents involved accidental force only, the other six incidents involved accidental and intentional force. Five of the ten unintentional uses of force incidents resulted in injuries (three officers were injured, two subjects were injured). One of the ten incidents involved an accidental discharge of an officer's firearm. Accidental firearm discharges have varied from zero in 2017 to eight in 2020 (Table 15).
- In 2023, there were 22 use of force incidents that resulted in internal investigations. These 22 incidents involved 54 use of force allegations and 32 officers. The investigations resulted in various outcomes.

This report provides information for understanding and interpreting the nature, frequency, and circumstances of use of force incidents in the MPD. These data can be used to monitor use of force incidents over time.