

AN OVERVIEW OF MILWAUKEE POLICE DEPARTMENT

USE OF FORCE INCIDENTS:

JANUARY 1, 2011 TO JUNE 30, 2011



REPORT OF THE FIRE AND POLICE COMMISSION

200 East Wells Street
City Hall, Room 706A
Milwaukee, WI 53202
(414) 286-5000

Website: <http://www.milwaukee.gov/fpc>

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Prepared by:

Steven G. Brandl, Ph.D.
University of Wisconsin-Milwaukee,
Criminal Justice Department

The purpose of this report is to provide an overview of “use of force” incidents recorded by the Milwaukee Police Department (MPD) from January 1, 2011 to June 30, 2011. More detailed analyses of annual baseline measures will be provided in the 2011 annual report. As 2011 represents the third year in which MPD use of force incidents have been analyzed, the 2011 year-end report will provide comparisons of use of force incidents from 2009, 2010, and 2011 in order to begin to identify patterns and trends in incidents.

As with the previous interim and annual reports, the data analyzed here were contained in the MPD AIM (Administrative Investigations Management) System. The AIMS database contains a comprehensive list of variables on each use of force incident recorded by the MPD. Some data were related directly to the incident (e.g., date of incident, district of incident, number of officers involved in incident) but most of the data were related to the officers (e.g., officer race, officer rank, type of force used by officer, etc.) and subjects (e.g., subject age, race, charge, etc.) involved in the incidents. There were separate variables for each officer (up to six officers) and each subject (up to three subjects) involved in the incident. The AIMS data were manually converted to PASW (Predictive Analytic SoftWare) format for analysis in this report.¹ Along with the entry of data into the AIM System for each use of force incident, narrative descriptions of each incident were also completed by supervisory officers at the time of the incident. In preparing this report, these narratives were reviewed and used to verify and, in some cases, supplement the quantitative data in AIMS. The narratives for the first six months

¹ The creation of this database required substantial work and knowledge of the intricacies of the AIM System, other departmental databases, and PASW software. This work was performed by Kristin Kappelman of the Fire and Police Commission.

of 2011 comprised 795 pages of text. Additional data on the number of arrests made by MPD officers were obtained separately from the MPD.

Frequency of Use of Force Incidents

From January 1, 2011 to June 30, 2011 there were 268 use of force incidents recorded by the MPD. Of the 268 incidents, 13 were for the purpose of euthanizing an injured animal (11 involved deer, one involved an opossum and one involved a raccoon). Two incidents were completely accidental and did not involve a subject in any way (i.e., accidental discharge of an ECD in a district station, off-duty discharge of firearm). As these 15 incidents are fundamentally different from other use of force incidents in purpose and intent of the force, these incidents are excluded from all subsequent analyses. Accordingly, 253 incidents are analyzed in this report (compared to 253 incidents that occurred during the first six months of 2010). Of the 253 incidents, 18 involved force being used against one or more dogs² (compared to 14 during the first six months of 2010). These incidents are included in most of the analyses and are also analyzed separately later in the report.

Table 1 provides a breakdown of the 253 incidents by month. As seen in Table 1, there was minimal variation in the frequency of incidents across month. The mean number of incidents per month was 42.2, with a high of 53 incidents in May and a low of 26 incidents in February. There was an average of approximately 1.40 use of force incidents per day from January 2011 to June 2011. Again, these statistics are exactly the same as from January 2010 to June 2010.

² Seventeen of these incidents involved a firearm; one involved the use of an ECD.

Table 1. Monthly distribution of Incidents

Jan	Feb	March	April	May	June	TOTAL
43	26	38	48	53	45	253

Note: No missing data.

Frequency of Use of Force Incidents and Arrests

Because most use of force incidents occur during arrests, it is important to consider the number of use of force incidents in relation to the number of arrests made. Further, in this calculation, it is reasonable to include only the use of force incidents that involved an arrest. Again, from January 1, 2011 to June 30, 2011, there were 253 use of force incidents. Of these 253 incidents, 235 involved a person who could have been arrested (the other 18 incidents involved a dog). Of these 235 incidents where someone could have been arrested, in 217 of them a subject was actually arrested (in three additional incidents it was not specified if a subject was arrested). Also during this time period, MPD officers made a total of 18,891 arrests.³ Accordingly, for each arrest where force was used, there were 87.1 arrests where force was *not* used ($18,891 / 217 = 87.1$). Overall, an average of approximately 1.15 percent of all arrests involved the use of force ($217 / 18,891 * 100 = 1.15\%$). During the same time period in 2010, 1.12% of arrests involved the use of force. During the same period in 2009, 1.05% of all arrests involved the use of force. While the percentage of arrests that involved force has increased

³ As defined here, an arrest refers to when an officer physically takes a subject into custody. Included here are arrests for felonies, misdemeanors, and ordinance violations.

Also, during the January 1 to June 30, 2009 time period, MPD officers made 16,934 arrests and there were 178 force incidents where an arrest was made (in 81% of force incidents an arrest was made).

From January 1 to June 30, 2010, MPD officers made 19,987 arrests and there were 223 force incidents where an arrest was made (in 93% of force incidents an arrest was made).

slightly over the past three time periods under examination, this has to do with the number of arrests made as well as the number of incidents that involved force (and the number of force incidents that involved an arrest).

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

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

	Jan	Feb	March	April	May	June	TOTAL
Number of Use of Force Incidents That Involved an Arrest*	38	25	35	42	46	31	217
Total Number of Arrests Made	2840	2708	3355	3428	3481	3079	18891
Number Arrests per Use of Force Incident	74.7	108.3	95.9	81.6	75.7	99.3	84.3

Note: * Missing data (3 cases) are excluded from the analyses.

Interestingly, and as expected, there is a strong correlation between the number of use of force incidents that involved an arrest and the total number of arrests, by month ($r = .76$). In essence, one can reasonably (but not perfectly) predict the number of use of force incidents that involved an arrest based on the total number of arrests that were made. In other words, more arrests are related to more use of force incidents, fewer arrests are related to fewer use of force incidents.

Characteristics of Officers and Subjects Involved in Use of Force Incidents

The 253 use of force incidents involved 263 different officers. Most incidents involved one officer (170 incidents out of 252; 67%) and one subject (229 incidents out of 235; 97%).⁴

In 93 percent of incidents, the first officer involved was male, in 68 percent the officer was white, in 94 percent the officer was the rank of police officer, in 99 percent of the incidents the officer was on duty, and in 98 percent the officer was in uniform. The average (mean) age of the first officer involved was 35.6 years and the first officer's mean length of service was 9.3 years.⁵ The largest proportion of (first) officers (42%) was assigned to the early shift (3p-11p).

In 86 percent of the incidents, the first subject involved was male, in 75 percent the subject was Black, in 50 percent the subject was under the influence of alcohol and/or drugs, and in 93 percent of the incidents the subject was arrested. The most common charge was "resisting/obstructing an officer." In 80 percent of incidents, the first subject had a criminal record. The average (mean) age of the first subject involved in the incident was 29.6 years. The characteristics of officers and subjects involved in use of force incidents did not differ significantly from first six months of 2010 or 2009.

⁴ In this section, analyses relating to "subjects" do not include incidents involving dogs (n = 18).

⁵ The statistical statements relating to officer (and subject) characteristics are not unambiguous. Ideally, one would like to be able to state the overall representation of officers who were involved in use of force incidents (e.g., "The average age of all officers involved in use of force incidents was 35.6 years"). Rather, due to the structure of the database and that each officer involved in the incident is listed as a separate variable, the closest corresponding statement is that "the average age *of the first officer* involved in use of force incidents was 35.6 years." The latter statement is less meaningful than the first. This issue is not problematic in the complimentary "officer analysis" report.

The Type of Force Used in Use of Force Incidents

With regard to the type of force used, it is seen in Table 3 that the largest proportion of incidents involved bodily force only (37.2%), followed by ECD only (17.8%), bodily force and chemical agent (10.3%), and chemical agent only (9.9%). Twenty-five incidents (9.9%) involved a firearm only, one incident (.4%) involved a firearm and an ECD.

The most significant change in the type of force used from 2009 to 2010 and 2010 to 2011 is the increased use of an ECD, alone or in combination with bodily force. The use of a chemical agent (alone or in combination with other force) has correspondingly decreased.

Table 3. Type of Force Used

Type of Force Used	Frequency	Percentage
Bodily Force Only	94	37.2
ECD only	45	17.8
Bodily Force and Chemical	26	10.3
Chemical Agent Only	25	9.9
Firearm Only	25	9.9
Bodily Force and ECD	18	7.1
Baton Only	1	.4
Firearm and ECD	1	.4
Other Combination (no firearm)	18	7.1
Total	253	100.1

Note: Percentage does not total 100 due to rounding.

Interestingly, in 44 of the 45 (98%) incidents where only an ECD was used, just one officer was involved. Of the 94 incidents where only bodily force was used, 59 (63%) involved just one officer. An ECD was most likely to be used when only one

officer was involved; bodily force was most likely to be used when more than one officer was involved (results not tabled).

Firearm Force

Given the absolute and relative seriousness of force delivered via a firearm, additional details about these incidents are provided here. Of the 26 incidents in which a firearm was used, seven involved a non-fatal shooting of a subject,⁶ one involved shooting *at* a subject (who was not struck), one involved firing a gun in the presence of a subject (who was not struck), and 17 incidents involved the shooting of one or more dogs.⁷ The nine incidents involving subjects stemmed from a traffic stop, a “battery” complaint, a field interview, a “subject with gun” complaint, two “trouble with subject” complaints, a “suspicious subject” complaint, a foot pursuit, and one resulted while the officer approached a group of subjects on the sidewalk. In five of these incidents it was confirmed that the subject was armed (two with knives, three with guns).

Of the 17 shooting incidents that involved a dog, 16 involved one dog and one incident involved two dogs (18 dogs total). The 17 incidents that involved a dog resulted in nine dogs being killed and five dogs being non-fatally injured. The other four dogs were shot at but were not hit. The 18 dogs involved a Great Dane, a Doberman Pinscher, a Lab mix, and 15 Pit Bulls. Twelve of the incidents related to a call for service or other assignment that did not involve a dog, one incident involved an off-duty officer who was going for a walk, and four incidents involved a “loose dog” or “dogs fighting” complaint.

⁶ One subject fatally shot himself after being shot by the police; an ECD was used on one subject just prior to him being shot by the police.

⁷ From January to June 2009, there were 27 incidents that involved the use of a firearm (5 involved a subject, 21 involved a dog, and one involved a subject and a dog). From January to June 2010, there were 18 incidents that involved the use of a firearm (4 involved a subject, 14 involved a dog).

Location of Use of Force Incidents

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

The largest proportion of use of force incidents occurred in District 7 (24.1%), the smallest proportion occurred in District 1 (6.0%) (Table 4). This pattern deviates from the first six months of 2010 in that the number of force incidents in District 7 declined substantially (from 83 in 2010 to 60 in 2011) and the number of incidents increased in District 3 (from 33 in 2010 to 50 in 2011).

As for aldermanic district, District 7 had the largest share of use of force incidents (16.7% of the total), while District 11 and District 2 had the smallest share (2.2% each) (Table 5). This pattern is similar to that reported in 2010 and 2009.

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

Police District	Frequency	Percentage
1	15	6.0
2	34	13.7
3	50	20.1
4	30	12.0
5	40	16.1
6	20	8.0
7	60	24.1
Total	249	100.0

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

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

Aldermanic District	Frequency	Percentage
1	15	6.6
2	14	6.2
3	10	4.4
4	26	11.5
5	7	3.1
6	21	9.3
7	38	16.7
8	6	2.6
9	11	4.8
10	6	2.6
11	5	2.2
12	16	7.0
13	11	4.8
14	5	2.2
15	36	15.9
Total	227	100.0

Note: Missing data (26 cases) are excluded from the analyses.

Conclusion

Based on an analysis of the 253 incidents that occurred between January 1, 2010 and June 30, 2010, it is seen that incidents were relatively stable across month, were infrequent in relation to the number of arrests made, involved relatively few officers, and most involved officers using bodily force only. Most incidents involved white male police officers who were on duty. Most incidents involved Black male subjects with a prior criminal record and, in the large majority of incidents, the subjects involved were arrested. Finally, the largest proportion of incidents occurred in Police District 7 and in Aldermanic District 7. In these ways, the incidents in the first six months of 2011 were quite similar to those that occurred during of the first six months of 2010 and of 2009.

It is important to emphasize that the number of use of force incidents stayed exactly the same from 2010 to 2011 after increasing from 2009 to 2010. In relation to arrests, use of force is a very unlikely event in 2011, just as it was in 2010 and 2009. As discussed in this report, the slight increase in rate of force incidents during the first six months of 2011 appears to be a function of the slight decrease in the number of arrests made by officers during this time period in 2011 compared to 2010 (after a dramatic increase in the number of arrests from 2009 to 2010).

In addition, in spite of the constant number of force incidents, the number that involved a firearm increased in frequency. From January to June 2011, nine incidents involved the use of a firearm against a subject and 17 involved the use of a firearm against a dog. During the first six months of 2010, four incidents involved the use of a firearm against a subject and 14 involved the use of a firearm against a dog. In the same time period in 2009, there were six incidents that involved a subject and 21 that involved a dog. These are all still relatively small numbers but should be closely monitored for emerging patterns or trends. It is also important to note that the use of an ECD (by itself or in combination with other forms of force) continues to represent an increasing proportion of all use of force incidents.

Another important finding is the decrease in the number of use of force incidents that occurred in District 7. In previous FPC “use of force” reports it was noted that District 7 showed a disproportionately high number of force incidents. The decrease observed during the first six months of 2011 is worthy of further monitoring and follow-up.

It is also important to note that the quality of the data contained in the AIM System remains high compared to those data first analyzed in 2009. The narrative reports are thoroughly written and the amount of missing data in the database is minimal. This has implications regarding the quality of the findings and the confidence one can have in the conclusions drawn from the data.