

AN ANALYSIS OF USE OF FORCE INCIDENTS IN THE MILWAUKEE POLICE DEPARTMENT IN 2020



REPORT OF THE FIRE AND POLICE COMMISSION

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Introduction

This report provides an analysis of use of force incidents recorded by the Milwaukee Police Department (MPD) from January 1, 2020 to December 31, 2020. 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.¹ The purpose of this report is to provide information on use of force incidents to monitor changes in patterns, trends, and frequency of use of force incidents over time. The report is divided into two main sections: (1) frequency of force and (2) situational characteristics of use 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 when 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 interview the officer(s) involved in the incidents, other officer witnesses, the subject(s) involved, other witnesses, and to review body-worn camera or other video of the incident. This information is then used 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 an Electronic Control Device, 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.

¹ Every report was written by me except for the 2019 report which was written by David Gelting, a FPC Policy Analyst during that time. Based on my review of the 2019 report, it appears that the calculations conducted by Mr. Gelting were similar to those I conducted in prior years.

Importantly, MPD Use of Force policy 460.50 changed in 2020. This change required additional force incidents to be reported. 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. Incidents where these types of force were the sole reason for completing a Use of Force Report appear in the data beginning December 11, 2020. *As a result of this policy change, the aggregate number of force incidents in 2020 is not comparable to previous years.* Only when appropriate is pre-2020 data compared to current 2020 data. 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 documented; 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 the data for this report in Excel format from Barbara Cooley of the Fire and Police Commission (FPC) on April 15, 2022. I converted the data to the Statistical Package for the Social Sciences (SPSS) for analysis.

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. As noted, these written narratives are based on information obtained from the officers involved as well as the subject, other witnesses, and body-worn camera video, if available. These narratives are stored in the AIM system. The 2020 narratives in aggregate were 2,987 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 year's cases were obtained from previous use of force annual reports. Additional data on the number of officers employed in the MPD, the number of calls responded to by the MPD, the number of arrests made by the MPD, and MPD Internal Investigations of use of force incidents were obtained separately from the MPD via the FPC.

Frequency of Force

Number of Force Incidents

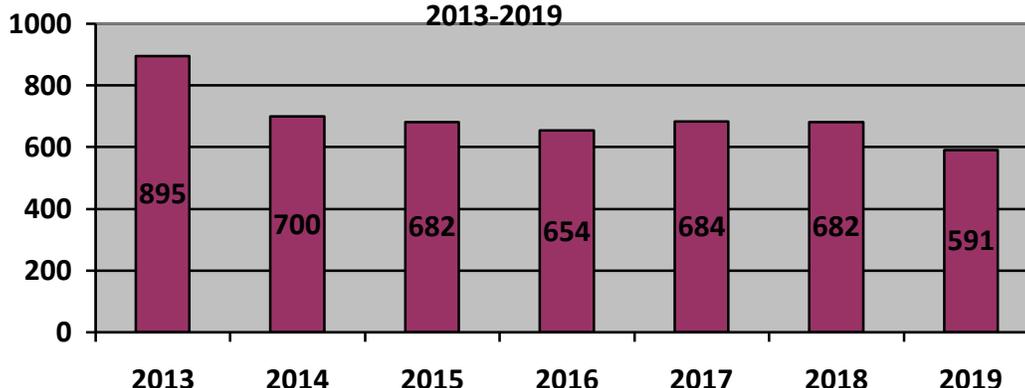
From January 1, 2020 to December 31, 2020, there were 608 use of force incidents recorded by the MPD. Of these 608 incidents, 18 were accidental² and 13 involved euthanizing an injured animal.³ These 31 incidents are excluded from the analysis in this report because they are fundamentally different from other use of force incidents in their purpose and intent. Accordingly, in 2020 there were 577 use of force incidents in the MPD, and these incidents are analyzed in this report. As discussed earlier, this number cannot be compared directly to the number of force incidents in previous years because more types of force (e.g., pointing and displaying a firearm) are included in the 2020 total than in previous years.⁴ It is worthwhile to note however that even though more forms of force are included in the 2020 total, the 577 incidents of force in 2020 is the smallest number of incidents reported from 2013 to 2020 (see Figure 1 for number of force incidents in 2013 to 2019).

² These incidents are described later in the report (p. 18).

³ Ten of these incidents involved deer, one involved a coyote, and one involved a raccoon. All of the incidents involved the discharge of a firearm.

⁴ As discussed later in the report (see Table 9, p. 14), there were 45 incidents that involved pointing or displaying a firearm only. These incidents would not have been reported if not for the 2020 use of force reporting requirement policy change.

**Figure 1.
Number of Force Incidents,
2013-2019**



In addition, of the 577 incidents in 2020, eight involved force being used exclusively against one or more dogs (an additional incident involved force against a person and a dog). These incidents are included in most of the aggregate totals analyzed in this report and they are also analyzed separately (see p.18).

Use 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. Further, in this calculation, it is important to include only the use of force incidents that also involved an arrest. Again, in 2020 there were 577 use of force incidents. Of these 577 incidents, 569 involved a person (8 incidents involved a dog only). Of these 569 incidents that involved a person, in 503 of them a person was actually arrested.⁵ Also during 2020, MPD officers made a total of 14,187 arrests (for felonies, misdemeanors, and ordinance violations). Accordingly, for each arrest where force was used, there were approximately 28 arrests where force was not used ($14,187 / 503 = 28.2$).

Overall, in 2020, an average of 3.54 percent of all arrests involved the use of force ($503 / 14,187$

⁵ For example, a person may not be arrested if the incident involved a suicide attempt, a drug overdose, a mental health crisis, or if the person escapes.

* 100 = 3.54). Once again, this figure is not comparable to previous years because in 2020 more types of force were required to be reported compared to previous years. Nevertheless, this percentage is similar to 2018 (3.4%) and 2019 (3.3%).

Use 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 2020, the MPD handled 271,530 calls for service. Again, there were 577 use of force incidents during this time. Accordingly, approximately .21% of calls for service involved the police use of force ($577 / 271,530 * 100 = .21\%$). Stated differently, for every 1,000 calls for service there were approximately two use of force incidents.

Use of Force by Month of Year

With a total of 577 incidents occurring from January 1, 2020 to December 31, 2020, there was an average of approximately 48 use of force incidents per month. Table 1 provides a breakdown of incidents by month.

Table 1. Month of Incident

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
46	41	51	53	54	46	28	41	40	47	47	83	577

As seen in Table 1, the number of incidents was relatively stable across month, with the exception of December. The December total (83) reflects an increase in incidents due to the reporting policy change.

It is worthwhile to examine the number of force incidents and the number of arrests by month. Table 2 provides the number of force incidents that involved an arrest and the total number of arrests made by month.

Table 2. 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	44	37	44	50	44	35	26	35	39	42	40	67	503
Total Number of Arrests Made	1480	1346	1268	1169	1328	1070	1099	1164	1129	1087	1024	1023	14187

Table 2 shows that, in general, in months that there are more arrests there tend to also be more use of force incidents, with the exception of December. Again, the increase in the number of force incidents in December, without a corresponding increase in arrests, can be attributed to the implementation of the reporting policy change.

Use of Force by Time of Day

With a total of 577 incidents occurring from January 1, 2020 to December 31, 2020, there was an average of approximately 1.58 use of force incidents per day. These incidents did not occur randomly throughout the day. As seen in Table 3, nearly half occurred between 4:01 p.m. and 11:59 p.m., which approximates the MPD “Early” shift.

Table 3. Use of force Incidents by Time of Day / Shift

Time / Shift	Frequency	Percentage
8:01am-4pm / Day	148	25.6
4:01pm-11:59pm / Early	283	49.0
12am-8am / Late	146	25.3
Total	577	99.9

Note: Total percentage does not equal 100 due to rounding

Use of Force by Aldermanic District

Aldermanic District 15 had the largest share of use of force incidents (16.3%), while District 11 and District 13 had the smallest share (2.7% each) (See Table 4).

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

Aldermanic District	Frequency	Percentage
1	58	10.3
2	36	6.4
3	26	4.6
4	47	8.3
5	18	3.2
6	82	14.5
7	48	8.5
8	35	6.2
9	21	3.7
10	17	3.0
11	15	2.7
12	37	6.6
13	15	2.7
14	17	3.0
15	92	16.3
Total	564	100.0

Note: In 13 cases the aldermanic district was not recorded; these 13 cases are not included here.

Use of Force by Police District

Table 5 shows the number of force incidents for each police district in 2020 along with the corresponding percentage of total incidents. In 2020, District 5 accounted for 23.6 percent of all use of force incidents in the city, followed closely by District 3 with 19.5 percent of incidents.

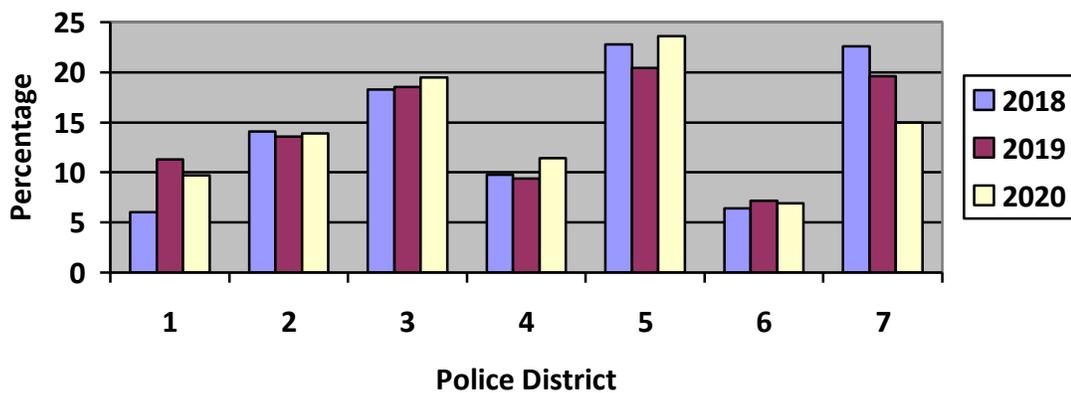
Table 5. Location of Use of Force Incidents: Police District

Police District	Frequency	Percentage
1	55	9.7
2	79	13.9
3	111	19.5
4	65	11.4
5	134	23.6
6	39	6.9
7	85	15.0
Total	568	100.0

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

The percentage of incidents for each police district for 2018, 2019, and 2020 is graphically represented in Figure 2. For each of these years District 5 accounted for the greatest share of incidents, and Districts 3, 5, and 7 accounted for a majority of force incidents in the city.

Figure 2. Percentage of Use of Force Incidents by Police District, 2018-2020



Use of Force, Arrests, and Police District

Given the variation in the number of force incidents across police district (Table 5), it may be useful to explore possible corresponding variation in the frequency of force in relation to arrests across districts. Table 6 shows the total number of arrests, the number of arrests that involved force, and the percentage of arrests that involved use of force for each district (use of force incidents / total arrests * 100 = percent of arrests that involved force) in 2020.

Table 6. Arrests that Involved Use of Force by Police District, 2020

Police District	Total Arrests Made (1)	Number of Use of Force Incidents That Involved an Arrest (2)	Percent of Arrests that Involved Use of Force
1	627	41	6.54
2	1,954	75	3.83
3	2,568	101	3.93
4	1,940	58	2.99
5	2,423	116	4.79
6	972	32	3.29
7	2,819	72	2.55

Notes: (1) 884 arrests 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 eight cases the police district was not recorded; these cases are not included here.

The results shown in Table 6 show that, in each district, a small proportion of arrests involve the use of force; the percentage of arrests that involve the use of force ranges from 2.55 percent in District 7 to 6.54 percent in District 1. Interestingly, out of all the districts, the most arrests were made in District 7 (2,819); however, District 7 also has the lowest percentage of arrests that involved the use of force (2.55%). District 1 has the lowest number of arrests (627) but the highest percentage that involved force (6.54%). An explanation for these findings cannot be provided using the data analyzed here. Overall, there is a strong statistical correlation between number of arrests and number of force incidents across the police districts (Pearson's $r = .79$). In

general, in districts where there are more arrests there more use of force incidents, where there are fewer arrests there are fewer use of force incidents.

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 in relation to calls for service across police districts. Table 7 shows the total number of calls for service, the total number of use of force incidents, and the calculated number of use of force incidents per 1,000 calls for service for each district in 2020 (use of force incidents / calls for service * 1,000 = number of force incidents per 1,000 calls for service).

Table 7. Use of Force Incidents per 1,000 Calls for Service by Police District, 2020

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	19,528	55	2.9
2	38,049	79	2.1
3	49,563	111	2.2
4	39,343	65	1.7
5	47,190	134	2.8
6	25,639	39	1.5
7	50,724	85	1.7

Notes: (1) 1,494 calls for service are excluded due to unknown district; (2) In nine 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 counts distinct dispatched calls for service for the time period of January 1 - December 31, 2020. It does not include proactive activity, cancelled calls, training units and training calls, Priority 5 calls, misdials, calls where a primary unit was not assigned, and calls with a disposition type of MCSO (Milwaukee County Sheriff's Office), DRU (Differential Response Unit), and MFD (Milwaukee Fire Department). The police district reflects the location of the call rather than the work location of responding officers.

Table 7 shows Police District 7 has the highest number of calls for service followed closely by District 3 and District 5. Districts 3, 5, and 7 also account for the largest share of force incidents. However, when considering the number of use of force incidents per 1,000 calls for service, Districts 1, 3, and 5 have the highest rate; District 7 is indistinguishable from the other districts.

Situational Characteristics of Use of Force Incidents

Along with providing information about the 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 use of force incidents, (2) the characteristics of subjects involved in use of force incidents, (3) injuries to subjects in use of force incidents, (4) injuries to officers in use of force incidents, (5) types of force used, (6) deadly force used against people, (7) force used against dogs, (8) accidental use of force incidents, and (9) Internal Investigations of use of force.

Characteristics of Officers Involved in Use of Force Incidents

In most incidents (310 out of 577; 53.7%) one officer used force, 175 incidents (30.3%) involved two officers, and 92 incidents (15.9%) involved three or more officers. The 577 use of force incidents involved 505 MPD officers. At the end of 2020, the MPD employed 1,738 sworn officers. As such, approximately 29 percent of all MPD officers ($505 / 1,738 * 100 = 29.1$) were involved in at least one use of force incident in 2020.

Again, 505 officers were involved in at least one use of force incident in 2020. Of the 505 officers, 280 (55.4%) were involved in only one incident. Thirty-eight officers (7.5%) were involved in five or more incidents. The most incidents an officer was involved in was 13. There were 26 officers who discharged their firearms in 2020 (including accidental discharges, and

discharges directed toward a person or dog). No officers were involved in more than one of these incidents. Previous research studies show that the best predictor of the number of use of force incidents an officer is involved in is the number of arrests made by that officer. In other words, officers who make more arrests are more likely to be involved in force incidents. However, this hypothesis cannot be tested here because the data analyzed for this report reflect only use of force incidents; it is not known how many arrests were made by each officer.

In 97 percent of the incidents,⁶ the first officer involved was male, in 69 percent the officer was white, in 96 percent of incidents the officer was in uniform, in 99 percent of the incidents the officer was on-duty, in 95 percent of incidents the officer was the rank of police officer, and in 84 percent of incidents the officer was assigned to squad patrol. The average (mean) age of the first officer was 37 (range of 23 to 60) and the average length of service was ten years.

Characteristics of Subjects Involved in Use of Force Incidents

Most incidents (95.8%; 545 out of 569) involved just one subject, 24 of the 569 incidents (4.2%) involved two or more subjects.⁷ In total, 579 subjects were involved in the 569 incidents. In 84 percent of the incidents the first subject involved was male, in 78 percent the subject was Black. The average age of the first subject was 31 years (with a range of 14 to 67; 5% of subjects were under the age of 18, and 1% were 60 or older). In 28 percent the subject was under the influence of alcohol and/or drugs. In 74 percent of incidents, the officer noted that the subject resisted arrest. In 18 percent of incidents the subject was armed with a weapon (not including

⁶ Due to the structure of the data set, most descriptive statements regarding the officers relate only to the first officer involved; percentages are rounded.

⁷ Excluded from these analyses are the incidents that involved a dog only. Percentages are rounded. Due to the structure of the data, the descriptive statements relate only to the first subject involved.

personal weapons such as fists or feet); when armed with a weapon, it was most often a firearm (59%).

Analyses were conducted to examine possible disparities in subjects’ race and sex in involvement in use of force incidents and arrests. Table 8 shows the representation of subjects, by race and sex, in use of force incidents and total arrests made by the MPD in 2020.

Table 8. Race and Sex of Subjects by Involvement in Force Incidents and Arrests, 2020

		Black	Hispanic	White	Other	Female	Male
Subjects Involved in a Use of Force Incident	Number	418	37	77	4	85	451
	Percentage	78.0%	6.9%	14.4%	.7%	15.9%	84.1%
Subjects Arrested Citywide	Number	10567	1661	1755	223	2886	11320
	Percentage	74.4%	11.7%	12.4%	1.6%	20.3%	79.7%

Note: In 33 cases, the subject’s race and sex were not recorded in the AIM system. In six cases, the subject’s race and sex were not recorded in the arrest system. These cases are not included here.

It is seen in Table 8 that Hispanics and Females were underrepresented as subjects in use of force incidents compared to their representation as arrestees. Hispanics accounted for 11.7 percent of arrestees and 6.9 percent of use of force subjects. Females accounted for 20.3 percent of arrestees but only 15.9 percent of use of force subjects. White, Black, and Male subjects were overrepresented in use of force incidents compared to their representation as arrestees.

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 9 that the majority of incidents (57.5%) involved “bodily force only.”⁸

⁸ The most common form of bodily force was “decentralization.”

Table 9. Types of Force Used by Officers, 2020

Type of Force Used	Frequency	Percentage
Bodily Force Only	332	57.5
ECD Only ⁹	55	9.5
Chemical Agent Only (OC) ¹⁰	13	2.3
Firearm Discharge Only	13	2.3
Baton Only	1	.2
Pointing Firearm Only	45	7.8
Handcuffing Only	2	.3
Bodily Force and Handcuffing	41	7.1
ECD and Bodily Force	40	6.9
Less Lethal - TEU ¹¹	3	.5
OC and Bodily Force	3	.5
ECD and OC	1	.2
ECD and Handcuffing	5	.9
ECD, Bodily Force, and Handcuffing	8	1.4
OC and less lethal - TEU or MIRT ¹²	7	1.2
Bodily Force, Handcuffing, and Pointing Firearm	3	.5
Bodily Force and Pointing Firearm	3	.5
Handcuffing and Pointing Firearm	2	.3
Draws or Displays Firearm	0	0
Total	577	99.9

Note: Total percentage does not equal 100 due to rounding.

In total, 13 incidents (2.3%) involved the discharge of a firearm and, as discussed in more detail below, seven of these 13 incidents involved a subject, six 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.

Additional analyses were performed to examine patterns in the types of force used over time (Table 10). These analyses are limited to incidents that involved the use of a chemical agent (OC Spray), an ECD (Taser), or the firing of a firearm.¹³ The findings include:

⁹ ECD refers to Electronic Control Device (Taser)

¹⁰ OC refers to Oleoresin Capsicum spray

¹¹ TEU refers to Tactical Enforcement Unit

¹² MIRT refers to Major Incident Response Team

¹³ 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. Prior to the policy change of January 1, 2013, all incidents that involved

- From 2009 to 2020 there has been a decline in police firearm discharges. It appears 2017 was an aberration in the overall rate of decline.
- Police use of an ECD increased in frequency from 2009 to 2011, declined from 2012 to 2015, dramatically increased in 2016, declined and remained stable from 2017 to 2019, and then declined in 2020.
- With regard to the use of OC spray, there was a steady decline from 2009 to 2016, a slight increase in 2017, and then a large decrease in 2018. In 2020 the use of OC spray was at its lowest level on record (since 2009).

Table 10. 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
Firearm Discharge Alone or with Other	53	46	51	40	40	30	27	26	9	18	12	13
ECD Alone or with Other (not with firearm discharge)	85	125	144	101	85	77	65	169	128	129	127	109
OC Alone or with Other (not with ECD or firearm discharge)	150	154	137	115	89	74	82	49	53	32	25	23

Injuries to Subjects in Use of Force Incidents

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

- No injury

the use of OC spray, a Taser, or a firearm discharge were required to be reported, but bodily force incidents that did not result in a citizen injury, or a citizen complaint of an injury, were not required to be reported.

- Minor
- Moderate
- Major
- Fatal
- OC Related Only
- ECD Related Only

Overall, of the 569 incidents that involved a subject, in 282 (49.6%) the subject did not sustain any injuries.¹⁴ When subjects were injured, most of the time those injuries were classified as “minor.” In eight incidents the injuries were classified as “moderate.” No “major” injuries resulted from any of the incidents. Two incidents resulted in fatal injuries to a subject (see p. 17). The remaining injuries were ECD or OC related only. “Complaint of pain” was the most common type of injury sustained by subjects. Table 11 shows the type of injury sustained by subjects within each injury category.

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

Type of Injury								
Injury Category	Abrasion/ Cut/ Laceration	Broken Bones/ Teeth	Bruise/ Contusion	Complaint Of Pain	Eye/ Respiratory	Gun Shot Wound	N O N E	Total
Minor	69	2	27	115	3	1		217
Moderate	1	3		4				8
Major								0
Fatal						2		2
OC Related Only				3	2			5
ECD Related Only	24			10	1		4	39
Total	94	5	27	132	6	3	4	271

Note: In 16 incidents the type of injury sustained was not specified.

¹⁴ Due to the structure of the data set, findings relate to the first subject involved.

It is important to note that certain forms of force were more likely than others to lead to injuries to subjects. Approximately 29 percent of the time a firearm was used against a subject it led to fatal injuries (2 of 7 incidents). As noted, “bodily force only” was by far the most common type of force used against subjects (332). However, most of the time (54%; 180 of 332 incidents) when bodily force was used alone by officers a subject was not injured. In an additional 43 percent (144 of 332) of the “bodily force only” incidents, injuries to the subject were classified as “minor.”

Injuries to Officers in Use of Force Incidents

Ten percent of officers¹⁵ involved in use of force incidents were injured in those incidents. 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. There are two ways to look at this issue: (1) 64 percent of the time that officers were injured during use of force incidents it was during “bodily force only” incidents; however, (2) 11 percent of “bodily force only” incidents resulted in injury to officers.

Deadly Force Used Against People

In 2020, there were seven incidents that involved the use of deadly force (the discharge of a firearm) against a subject. Of these seven incidents:

- two involved a subject sustaining a fatal gunshot injury
- one involved a non-fatal gunshot injury
- two resulted in no gunshot injuries (i.e., a subject was shot at but not struck),

¹⁵ Findings relate to the first officer involved in the incident.

- in one incident it was unknown if a subject was struck by gunfire (the subject was shot at, but not apprehended), and
- and in one incident a subject fatally shot himself

All seven of the incidents where officers used deadly force against a subject involved a subject who was armed with a gun. These incidents involved a variety of calls including subject with a gun, shots fired, and vehicle/foot pursuits. All of the 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 2020. It is seen that there has been a substantial but uneven decline in these incidents with a low of 5 incidents in each of 2017, 2018, and 2019.

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
Number	14	12	15	9	14	8	12	7	5	5	5	7

Deadly and Other Force Used Against Dogs

Of the 577 use of force incidents that occurred in 2020, nine involved some type of force being used against at least one dog. Two incidents involved the use of an ECD, one involved the use of OC spray and an ECD, and six involved a firearm only. These nine incidents involved ten dogs. In total, of the ten dogs upon which force was used, four sustained fatal injuries, all as a result of gunshot wounds (see below for a discussion of deadly force used against dogs).

Of the ten dogs, nine (90%) were pit bulls. The most common circumstance in which force was used against dogs was when officers responded to a loose dog or dog bite complaint (Table 13).

Table 13. Circumstance of Incidents Where Force was used against Dogs, 2020

Circumstance	Frequency	Percentage
Loose Dog / Dog Bite Complaint	4	44.4
Conducting Search Warrant	0	-
Subjects Fighting	2	22.2
Other	3	33.3
Total	9	99.9

Note: Percentage does not equal 100 due to rounding.

With regard to *deadly* force used against dogs specifically, in 2020 there were six incidents that involved the use of deadly force (the discharge of a firearm) against a dog. In these six incidents, five dogs were struck by gunfire. Four of these dogs were confirmed to have sustained fatal injuries at the scene.

Table 14 shows the frequency of incidents where dogs were the focus of a firearm discharge from 2009 to 2020. There has been a substantial and steady decline in the number of firearm discharge incidents that involve a dog with a low of four incidents in 2017.

Table 14. 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
Number	39	34	36	31	26	22	15	19	4	13	7	6

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 18 incidents in 2020 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. As noted earlier, these accidental incidents are not included in any of the prior analyses conducted for this report. Table 15 shows the types of force that were used accidentally in 2020.

Table 15. Types of Forced Used Accidentally, 2020

Type of Force	Frequency	Percentage
ECD Discharge	8	44.4
Firearm Discharge	8	44.4
Police Canine Bite	2	11.1
Total	18	99.9

Note: Percentage does not equal 100 due to rounding.

Except for the two incidents that involved the police canines, no one was injured in any of the incidents. In the canine incidents, one occurred during training and an officer was bitten, the other occurred at an apprehension scene where a bystander was bitten.

With regard to the eight accidental discharges of ECDs, seven occurred on police department premises. Five of those seven occurred during a standard pre-shift test of the weapon.

With regard to the eight accidental discharges of firearms, all of them involved officers' service weapons. Six occurred on-scene, two occurred on police premises. Two occurred when unholstering the weapon (both on PD premises), three resulted from some other accidental trigger pull, and in three incidents the cause could not be determined.

Table 16 shows the subset of accidental firearm discharges from 2009 to 2020. There were 44 accidental firearm discharges from 2009 to 2020. The number per year has varied from none (in 2017) to eight (in 2020). In four the 44 incidents, an officer was injured as a result of the

accidental discharge; in three of the incidents a subject was injured. None of the injuries were life threatening.

Table 16. Accidental Police Firearm Discharges, by Year (Number of Incidents)

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

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.¹⁶ Information on the allegations investigated by Internal Affairs were obtained for this report via the Fire and Police Commission; these investigations are briefly summarized here.

¹⁶ 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.

In 2020, 20 use of force allegations were investigated.¹⁷ One officer could have two or more separate allegations against him/her in one incident. And one incident could involve several officers. Accordingly, these 20 allegations involved 13 incidents and 19 officers. Of these 20 allegations, two involved the use of an ECD, nine involved the intentional use of a firearm, one involved an accidental discharge of firearm, and eight involved the use of bodily force. These 20 investigations resulted in the following outcomes:¹⁸

- For ten of the allegations, officers were exonerated.¹⁹
- For four allegations, no code of conduct violation was determined to have occurred.
- For two allegations, remedial training was ordered for the officers.²⁰
- For two allegations, the officers resigned prior to disciplinary orders.
- One allegation resulted in a one-day suspension.
- One allegation was not sustained.²¹

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

¹⁷ FPC investigations that did not result in any finding were not included.

¹⁸ Outcomes relate to allegations, not officers or incidents.

¹⁹ According to MPD SOP 450, exonerated means that “the incident as alleged occurred, however the department member’s actions were lawful/proper.”

²⁰ “A violation occurred and re-training is required for the member” (SOP 450).

²¹ An outcome of “not sustained” means that there is not sufficient evidence to prove either the allegation(s) made in the complaint, or the allegation(s) identified through subsequent investigation (SOP 450).

Department. Based on an analysis of the reportable incidents that occurred between January 1, 2020 and December 31, 2020, the following summary statements can be made:

- Use of force reporting requirements changed in 2020; therefore, some 2020 data are not comparable to previous years.
- Of the 577 incidents, eight (1.4%) involved a dog only.
- Approximately 3.5 percent of arrests involved the use of force in 2020.
- There were approximately two use of force incidents for every 1,000 calls for service.
- There were approximately 1.58 use of force incidents per day, varying by month and time of day.
- Police Districts 5 and 7 had the most use of force incidents in 2020 and combined accounted for approximately 43 percent of all force incidents in the city in 2020.
- Police District 7 had the largest number of arrests made in 2020 but the lowest percentage of incidents that involved force.
- Police District 7 had the largest number of calls for service but one of the lowest rates of force per 1,000 calls for service.
- On an absolute basis, use of force was a rare event in all districts.
- Approximately 29 percent of MPD sworn officers were involved in at least one use of force incident in 2020. Approximately 55 percent of these officers were involved in just one incident; approximately eight percent were involved in five or more incidents.
- There were 26 officers who discharged their firearms in 2020 (including accidental discharges and discharges directed toward a person or dog). No officer was involved in more than one of these incidents.
- The most common type of force used by officers was “bodily force only” (57.5% of all incidents) followed by “ECD Only” (9.5%).

- Since 2009, firearm discharges have declined in a steady but uneven manner. In 2009 there were 53 such incidents, in 2020 there were 13 incidents. The decline is evident with incidents that involved a dog as well as incidents that involved a person.
- Since 2009, use of a chemical agent has declined substantially. The use of an ECD has fluctuated since 2009.
- In 2020, there were seven incidents that involved a firearm discharge at a person. This is near the lowest level since the annual use of force reports have been prepared (2009).
- In 2020, there were two incidents that involved a subject sustaining a fatal gunshot injury.
- In 2020, there were nine incidents that involved force being use against one or more dogs. Most of the dogs were pit bulls and the largest proportion of these incidents related to a loose dog or dog bite complaint. Six of these incidents involved the discharge of a firearm. Four dogs sustained fatal injuries. The number of incidents in 2020 that involved the discharge of a firearm at a dog (6) was a near an all-time low (since 2009).
- There were 18 incidents in 2020 where force was used accidentally. Most of these incidents involved the discharge of a firearm or ECD. Except for two incidents that involved police canines biting someone, no one was injured in any of the incidents.
- In 2020, 20 use of force allegations were investigated by Internal Affairs. These investigations had various outcomes.

Based on the analyses conducted here, the typical use of force incident in 2020:

- Involved one uniformed police officer and one subject. The officer was a white male, 37 years old, with ten 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, 31 years old. The subject resisted arrest and, if injured, his

injuries were “minor.” The subject was not armed with a weapon. The incident occurred in Police District 5 between 4:01 pm and 11:59 pm.

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.