



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE

"An honor to serve, a duty to protect."

MEMORANDUM

DATE: January 15, 2023

TO: Sheriff Rick Staly

VIA: Chain of Command

FROM: Commander Ryan Emery *RDC #589 1-15-23*

RE: 2022 Use of Force Analysis – Response to Resistance (RTR)

In accordance with FCSO GO 051.VI.B.22 (Response to Resistance Analysis), the Training Unit Commander or designee is required to submit via the chain-of-command an analysis of all use of force incidents for the previous calendar year. The purpose of this report is to identify any training deficiencies and/or general order recommendations. For the purpose of this report, Deputy Response levels 1 and 2 (presence and verbal direction) are not included as they occur on a daily basis and are not tracked. The report will be divided into five sections: **Law Enforcement Services**, **Detention Services**, **Taser Deployments**, **Analysis** and **Conclusion**. The records used to complete this report were obtained from Employee Track, where all agency response to resistance incident reports are filed within the Aegis Records Management System. General Order 022 (Response to Resistance) contains a Response to Resistance Matrix (RTR) and does not require a RTR report to be completed when deputies utilized techniques such as transporters, take downs, pain compliance and countermoves unless the subject receives, or complains of injury. These responses are documented in general incident reports only. General incident reports are not included in the following response to resistance analysis.

2022 Response to Resistance Incidents



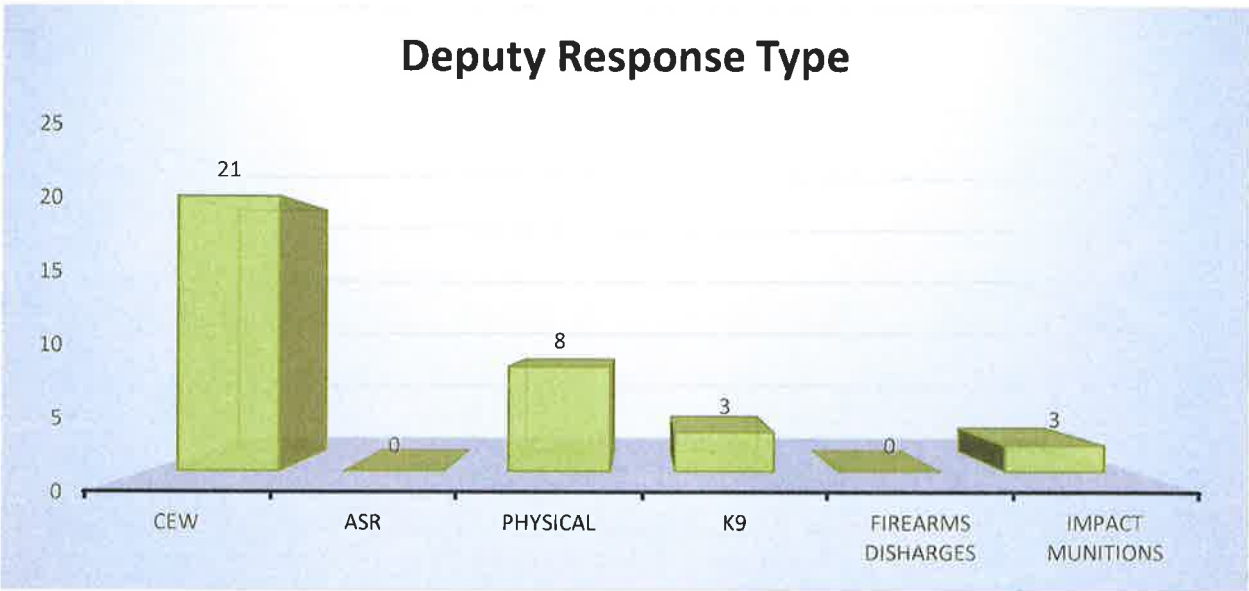
Memorandum-2022 Use of Force Analysis-Response To Resistance

January 15, 2023

Page 2

Law Enforcement:

Law Enforcement Deputies were involved in 35 response to resistance incidents. They are broken down as follows:

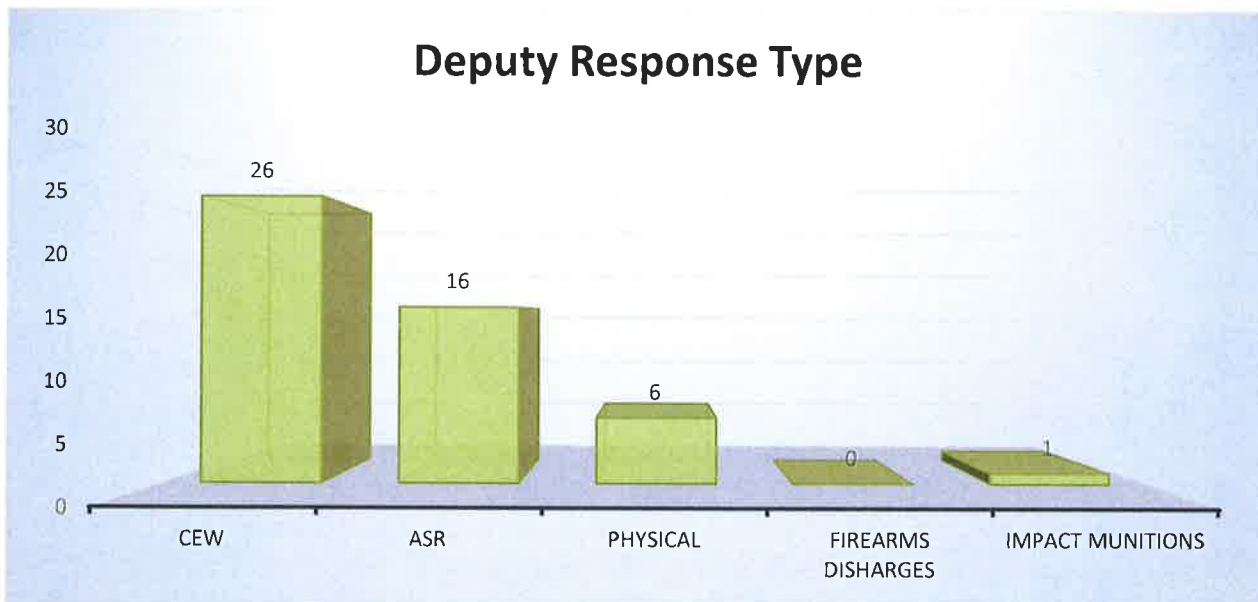


Of the documented incidents, the following details were recorded:

- Sex of subject: 2 female and 33 male (27 Caucasian, 6 African American, 2 Hispanic)
- Age of subject: The average age was 34, with the youngest being 16 and the oldest 65.
- Subject's Resistance Level: (Level 3=7) (Level 4=28) (Level 5=0) (Level 6=0)
- Deputy's Response Level: (Level 3=2) (Level 4=25) (Level 5=7) (Level 6=1)
- Medical treatment: Of the 35 incidents, 20 minor medical treatment
- Subject under influence: Yes=14, No=3, Unknown=18
- Subject injured: Yes=20 All minor
- Deputy Injured: Yes=3
- Supervisor review: All were within policy.
- Video recordings: 34 out of 35 cases were video recorded.

Detention Services Division:

Detention Deputies were involved in 49 documented response to resistance incidents.



Of the documented incidents, the following were recorded:

- Sex of subject: 6 female and 43 male. (21 Caucasian, 27 African American, 1 Hispanic)
- Age of subject: The average age was 31, with the youngest being 20 and the oldest 59.
- Subject's Resistance Level: (Level 3=13) (Level 4=25) (Level 5=7) (Level 6=4)
- Deputy's Response Level: (Level 3=22) (Level 4=27) (Level 5=0) (Level 6=0)
- Medical treatment: Of the 49 incidents, 1 was transported to the hospital
- Subject under influence: Yes=6 No =23 Unknown=20
- Subject injured: 5 recorded injury
- Deputy injured: 4 recorded injury
- Supervisory review: All within policy.
- Video recordings: All but 7 of the incidents were captured on video.

Memorandum-2022 Use of Force Analysis-Response to Resistance

January 15, 2023

Page 4

Taser:

In reference to the Taser usages (Law Enforcement and Detention), of the 47 incidents, the following were recorded:

- Effect: Yes=44 / No=3
- Deployment type: Probe Only=26 / Drive Stun Only=19 / Combination=1
- Times used: (1 Cycle=35) (2 Cycles=7)(3 Cycles=3)(4 Cycles=2)
(5 Cycles=0)
- Distance: (0-3Ft=22) (4-7Ft=10) (8-11Ft=9) (12-15Ft=5) (16-20Ft=0)
(21+=1)
- Subject injured: 13
- Deputy injured: 1
- Supervisor review: All within policy.

Analysis:

Overall, these results reflect a low number of use of force incidents and there are no trends that are concerning at this time. The department had no documented reports of excessive force. All of the response to resistance incidents were within agency policy. Of the combined 84 incidents, there were no significant injuries reported on any of the suspects. In 2021 and 2022, the Training Unit conducted Use of Force training to include General Order review, Taser, Less Lethal Shotgun, and ASR training with a written exam.

The Training Unit held 6 hours of practical Defensive Tactics Training and Active Assailant Scenario Training during Deputy Refresher Training in 2020. This training also included de-escalation techniques. In 2022 The Training Unit conducted scenario-based training with team arrest, subject control, less-lethal and lethal scenarios with high-stress decision making.

Recommendation:

All new hire classes receive extensive use of force scenario training prior to being released to the road phase of training and Crisis Intervention Training within their first year of employment. I recommend continual training on the above areas and specifically a continued focus on Crisis Intervention Training.

Conclusion:

There is a consistency in response to resistance from all sworn agency members. All involved deputies demonstrated the ability to use the appropriate amount of force necessary to control the subjects, and then de-escalate their response with no further incidents. The Training Unit has prioritized this approach over several years of in-service training. In-service training has continued

Memorandum-2022 Use of Force Analysis-Response to Resistance

January 15, 2023

Page 5

to focus on the proper deployment of defensive tactics, impact weapons, and less-lethal options. We have conducted role-playing scenarios allowing officers to defuse tense situations and demonstrate proficiency with an array of simulated training weapons in force-on-force exercises.

While reviewing the use of force reports within the Community Policing Division and Detention Services Division, the greatest number of incidents involved a conductive electrical weapon (CEW) or commonly known as a Taser.

The Axon video cameras are issued to Sergeants and below within the Community Policing Division and supervisors are able to view a large percentage of these events to ensure accuracy of response to resistance reports. Axon cameras are issued to select members of detention. Some footage captured from the Axon video cameras have been used as training material.

In conclusion, there are no outstanding events or trends that were recorded during the 2022 calendar year other than the overall increase in incidents which is likely a result of the increase in arrests and housing population at the inmate facility. I would also like to make a special note that the FCSO continues to only resort to deadly force when absolutely necessary and there were no uses of force incidents that resulted in a deputy using deadly force although there were multiple encounters where it would have been justified.

CC: Chief D. Williams
Chief of Staff M. Strobridge
Accreditation File