



Rick Staly, Sheriff

FLAGLER COUNTY SHERIFF'S OFFICE

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

MEMORANDUM

DATE: January 10, 2019

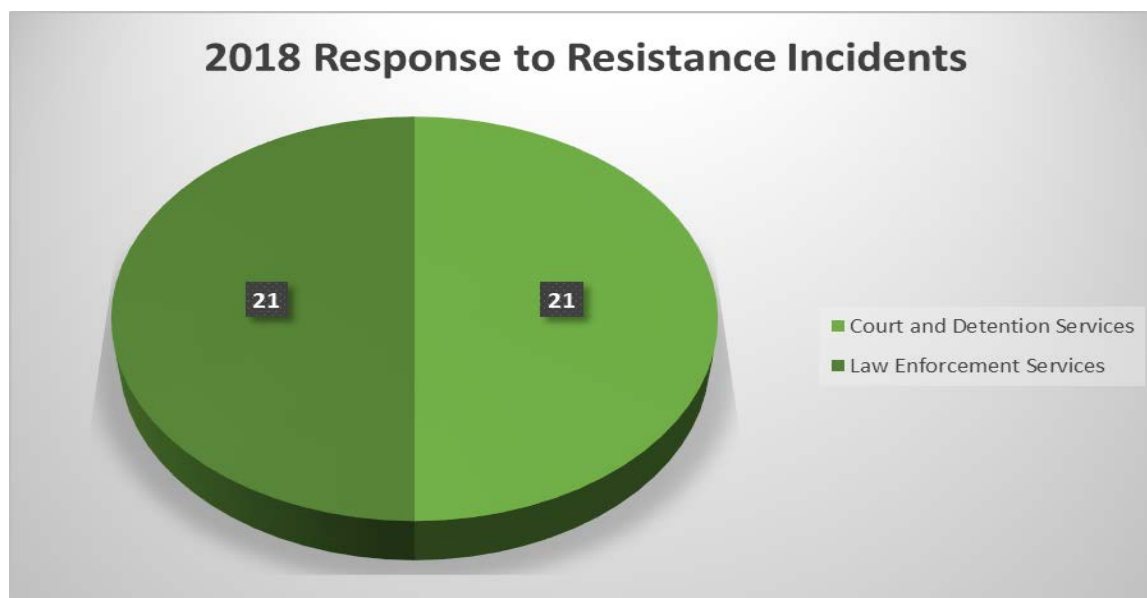
TO: Sheriff Rick Staly

VIA: Chain of Command

FROM: Commander Christopher Sepe

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

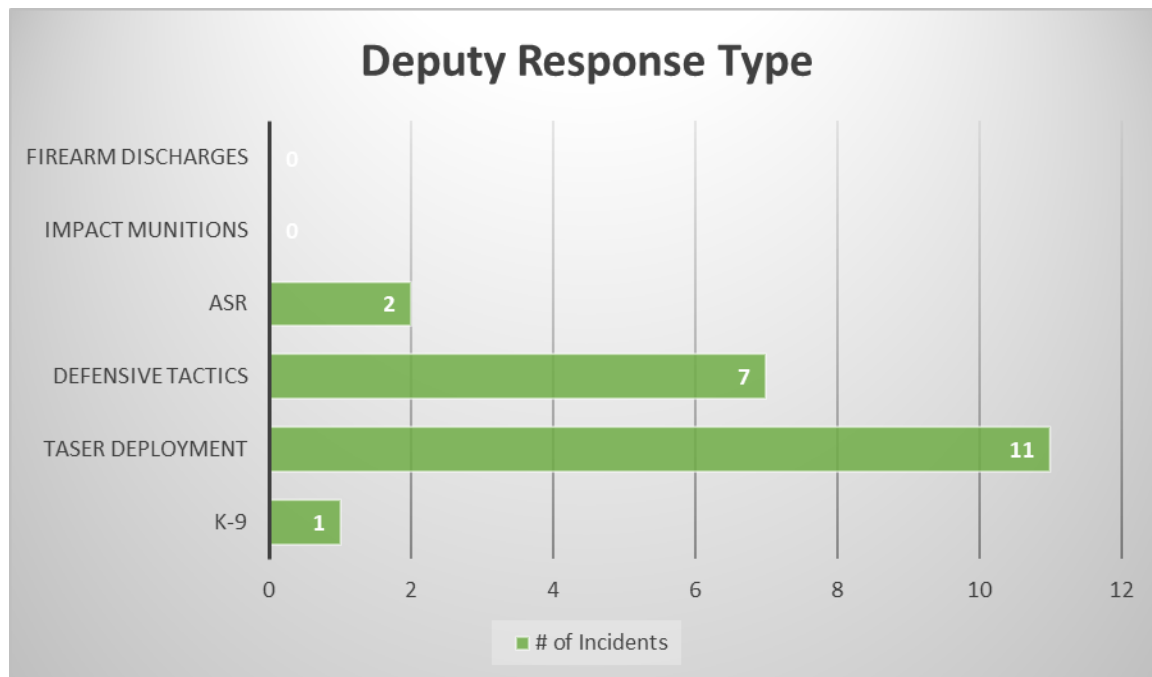
In accordance with FCSO GO 051.VI.B.22 (Response to Resistance Analysis), the Training Unit Commander is required to submit via the chain-of-command an analysis of all use of force incidents for the previous calendar year. The purpose of this report is to identify any training deficiencies and/or general 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 four sections: **Law Enforcement Services**, **Detention Services**, **Analysis** and **Conclusion**. The records used to complete this report were obtained from the Integrity and Accountability Unit (IAU). 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. These responses are documented in general incident reports only. General incident reports are not included in the following response to resistance analysis.



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Law Enforcement:

Deputies were involved in 21 documented response to resistance incidents (up from 16 in 2017). They are broken down as follows:



Of the documented incidents, the following details were recorded:

- Sex of subject: 4 female and 17 male (13 Caucasian, 4 African American, 2 Hispanic, 1 Asian, 1 Other)
- Age of subject: The average age was 35, with the youngest being 18 and the oldest 65.
- Subject's Resistance Level: (Level 3=2) (Level 4=15) (Level 5=4) (Level 6=0)
- Deputy's Response Level: (Level 3=9) (Level 4=12) (Level 5=0) (Level 6=0)
- Medical treatment: Of the 21 incidents, 13 minor medical
- Subject under influence: Yes=9 No=3 Unknown=9
- Subject injured: Yes=9 All minor to include 1 dog bite
- Deputy Injured: Yes=2 minor, 1 dislocated shoulder
- Supervisor review: All were within policy.
- Video recordings: 21 out of 21 cases were video recorded and reviewed by a supervisor

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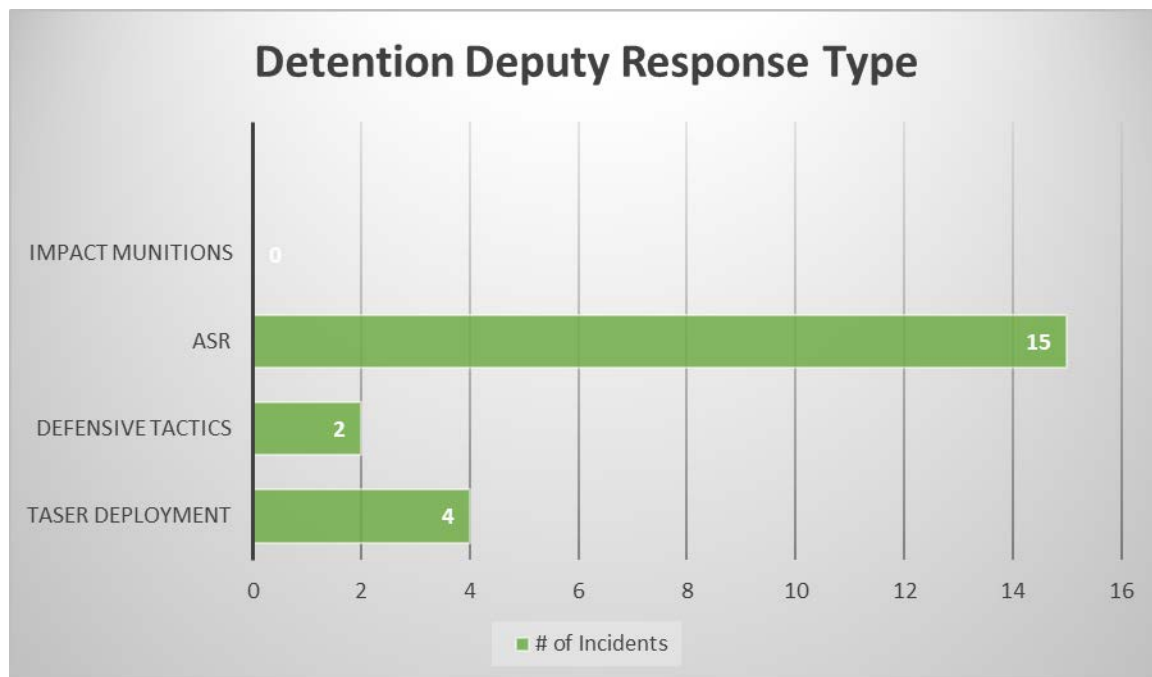
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In regards to the **Taser** usages (Road and Detention), of the documented 15, the following were recorded: (1 incident was a combination of a cartridge deployment and a drive stun follow-up)

- Effect: Yes=15 / No=0
- Deployment type: Probe= 12 / Drive Stun=3
- Times used: (1 Cycle=13) (2 Cycles=1)(3 Cycles=3)
- Distance: (0-3Ft=5) (4-7Ft=4) (8-11Ft=5) (12-15Ft=2) (16-20Ft=0) (21+=0)
- Subject injured: 3 minor injuries (2 abrasions, 1 back/neck pain)
- Deputy injured: 1 (dislocated shoulder)
- Supervisor review: All within policy.

Detention Services Division:

Detention Deputies were involved in 21 documented response to resistance incidents (up from 19 in 2017). It should be noted that 2 inmates were responsible for 11 of the 21 documented incidents on separate dates (Samuel Higgins 7 and Owen Parker 4). They are broken down as follows:



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Of the documented incidents, the following were recorded:

- Sex of subject: 2 female and 10 male. (6 Caucasian, 5 African American, 1 Hispanic)
- Age of subject: The average age was 31, with the youngest being 19 and the oldest 50.
- Subject's Resistance Level: (Level 3=6) (Level 4=8) (Level 5=7) (Level 6=0)
- Deputy's Response Level: (Level 3=17) (Level 4=4) (Level 5=0) (Level 6=0)
- Medical treatment: Of the 21 incidents, all medical was handled by med staff
- Subject under influence: Yes=0 No =20 Unknown=1
- Subject injured: No recorded injuries.
- Deputy injured: No recorded injuries
- Supervisory review: All within policy.
- Video recordings: 20 of 21 incidents were captured on video.

Analysis:

Overall, these results reflect a low number of use of force incidents despite the slight increase from the 2017 statistics. The department had no documented reports of excessive force. All of the response to resistance incidents were within agency policy. Of the combined 42 incidents, there were no significant injuries reported on any of the suspects. A Road Deputy sustained a dislocated shoulder during a confrontation where a Taser was deployed and missed several weeks of work.

Recommendation:

In 2017, the Training Unit conducted Use of Force training to include General Order review, Taser deployment in a controlled environment, Less Lethal Shotgun, ASR and reviewed real life videos that depicted officer/subject interaction in order to have round table discussions related to deputy's actions.

The Training Unit was unable to continue this instruction in 2018 due to a mandatory Emergency Vehicle Operations Course (EVOC) review. In addition, the FCSO does not have a facility where it can host a Defensive Tactics refresher. There are plans to secure Flagler Palm Coast High School over the summer of 2019 and utilize the wrestling room to conduct Defensive Tactics training.

All new hire classes receive extensive use of force scenario training prior to being released to the road phase of training.

Conclusion:

There is consistency in response to resistance from members and all involved deputies demonstrated the ability to only use that level of force necessary to control the subjects and then de-escalate their response with no further incidents. The Training Unit has prioritized this approach

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over several years of in-service training. In-service training has continued 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, the greatest number of incidents involved a conductive electrical weapon (CEW) or commonly known as a Taser. The Flagler County Sheriff's Office has purchased the newest technology from Taser International and have deployed X2 Tasers in 2018. The Inmate Facility are also issued X2 Tasers.

The Axon video cameras are deployed 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. Some footage captured from 2018 incidents has been used as training material. The camera system at the Inmate Facility has been improved to address better angles and correct any blind spots that existed.

In conclusion, there are no outstanding events or trends that were recorded during the 2018 calendar year.

CC: Accreditation File