



Rick Staly, Sheriff
FLAGLER COUNTY SHERIFF'S OFFICE
"An honor to serve, a duty to protect."

MEMORANDUM

DATE: January 13, 2020

TO: Sheriff Rick Staly

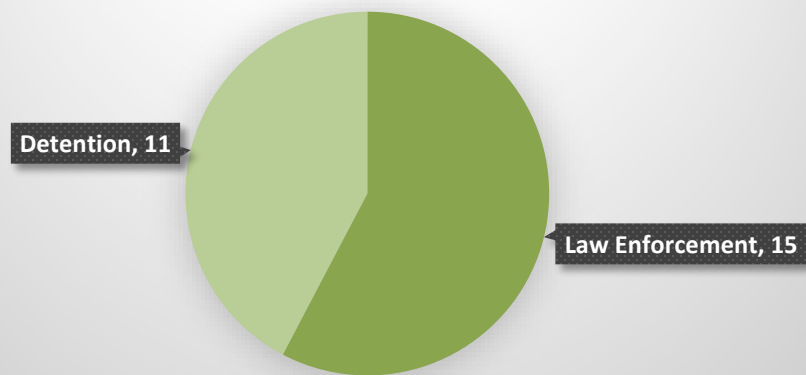
VIA: Chain of Command

FROM: Sergeant Ryan Emery

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 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.

2019 Response to Resistance Incidents



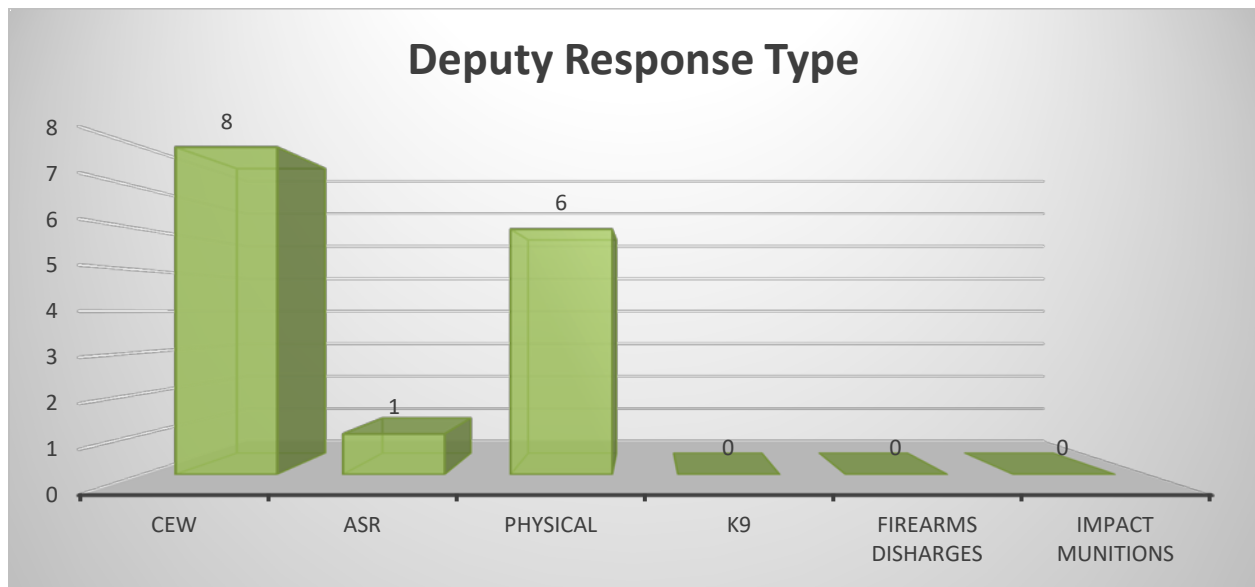
Memorandum-2019 Use of Force Analysis

January 13, 2020

Page 2

Law Enforcement:

Deputies were involved in 15 documented response to resistance incidents (down from 21 in 2018). They are broken down as follows:

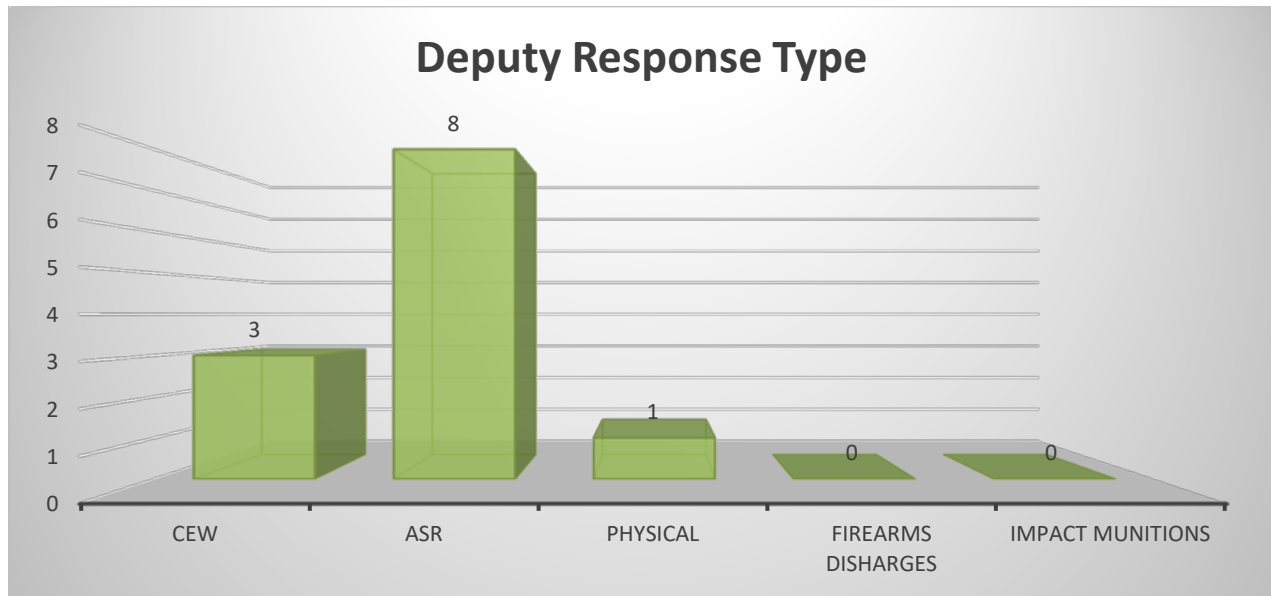


Of the documented incidents, the following details were recorded:

- Sex of subject: 2 female and 13 male (6 Caucasian, 9 African American)
- Age of subject: The average age was 33, with the youngest being 13 and the oldest 57.
- Subject's Resistance Level: (Level 3=0) (Level 4=11) (Level 5=3) (Level 6=1)
- Deputy's Response Level: (Level 3=7) (Level 4=8) (Level 5=0) (Level 6=0)
- Medical treatment: Of the 15 incidents, 7 minor medical
- Subject under influence: Yes=6 No=5 Unknown=4
- Subject injured: Yes=7 All minor
- Deputy Injured: Yes=1 Minor
- Supervisor review: All were within policy.
- Video recordings: 15 out of 15 cases were video recorded and reviewed by a supervisor

Detention Services Division:

Detention Deputies were involved in 11 documented response to resistance incidents (down from 21 in 2018) with one incident involving the use of ASR and a CEW.



Of the documented incidents, the following were recorded:

- Sex of subject: 0 female and 11 male. (6 Caucasian, 5 African American)
- Age of subject: The average age was 29, with the youngest being 18 and the oldest 55.
- Subject's Resistance Level: (Level 3=5) (Level 4=3) (Level 5=3) (Level 6=0)
- Deputy's Response Level: (Level 3=8) (Level 4=3) (Level 5=0) (Level 6=0)
- Medical treatment: Of the 11 incidents, only one was transported to the hospital but not as a result of the response to resistance.
- Subject under influence: Yes=1 No =6 Unknown=4
- Subject injured: 2 recorded injuries
- Deputy injured: 4 recorded injuries
- Supervisory review: All within policy.
- Video recordings: 9 of 11 incidents were captured on video.

Memorandum-2019 Use of Force Analysis
January 13, 2020
Page 4

Taser:

In reference to the **Taser** usages (Road and Detention), of the documented 11, the following were recorded (1 incident was a combination of 3 cartridge deployments and 2 drive stun follow-ups):

- Effect: Yes=10 / No=1
- Deployment type: Probe Only=6 / Drive Stun Only=2 / Combination=3
- Times used: (1 Cycle=4) (2 Cycles=3)(3 Cycles=0)(4 Cycles=2)
(5 Cycles=1)
- Distance: (0-3Ft=3) (4-7Ft=2) (8-11Ft=1) (12-15Ft=2) (16-20Ft=0)
(21+=0)
- Subject injured: 2 minor injuries
- Deputy injured: 0
- Supervisor review: All within policy.

Analysis:

Overall, these results reflect a low number of use of force incidents with a decrease from 2018. The department had no documented reports of excessive force. All of the response to resistance incidents were within agency policy. Of the combined 26 incidents, there were no significant injuries reported on any of the suspects. A Road Deputy sustained a minor injury and four Corrections Deputies also sustained minor injuries in two separate incidents. In 2019, 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 2019. This training also included de-escalation techniques.

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 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

Memorandum-2019 Use of Force Analysis

January 13, 2020

Page 5

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 been deploying X2 Tasers in 2018 and 2019. The Inmate Facility are also issued X2 Tasers to certified members.

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 the Axon video cameras have been used as training material.

In conclusion, there are no outstanding events or trends that were recorded during the 2019 calendar year.

CC: Accreditation File