



# Open Data Report

# 2019

## Year in Progress

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*A bi-annual overview of referenced data collected between January-June 2019.  
All numbers are as reported on 06/30/2019 and may be changed as investigations proceed.*

# Open Data Report

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## 2019 Response-to-Resistance Incidents

### DEFINITIONS

**Response-to-Resistance (RTR) Incident** - Any instance involving a **use of force** by an officer in the course of his official duties that meets at least one of the following criteria:

- A firearm was discharged;
- An intermediate weapon was used on or against an individual;
- A person or animal was exposed to a chemical agent;
- A Special Weapons & Tactics (SWAT) team member used a specialty weapon in a non-SWAT incident;
- A conducted electrical weapon (CEW) was deployed in 'Probe' or 'Touch-Stun' mode;
- Physical force was used on a subject and the force resulted, or was alleged to have resulted, in any injury, regardless of the severity;
- An injury was observed on a subject following any use of force;
- A ramming maneuver was used on a vehicle;
- An arrestee was rejected admission to the Pre-Trial Detention Facility (PDF) and directed to the hospital due to alleged injuries sustained from a member's response to resistance;
- After an arrestee was granted admission to the PDF, the arrestee alleged an injury was sustained from a member's response to resistance (In these cases, the PDF will notify the approving supervisor listed on the Arrest & Booking Report that such an allegation was made); or
- A supervisor determines an RTR Report is appropriate.

**Use of Force** - The application of an agency-approved technique used to establish the physical control of a subject who is resisting an officer's lawful attempts to take him into custody. The five use-of-force categories are:

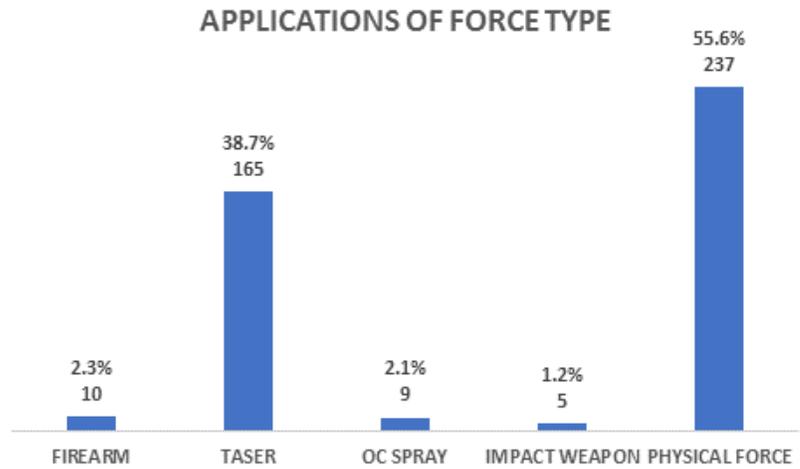
- **CEW:** force that involved the use of a conducted energy weapon (CEW), commonly referred to as a "Taser";
- **Chemical:** force that involved a chemical agent such as Oleoresin Capsicum (OC) Spray;
- **Firearm:** force that involved the use of an agency-issued or agency-approved small arms weapon, such as a rifle or pistol;
- **Intermediate:** force that involved a baton and/or specialty impact weapon; and
- **Physical:** force that involved the use of physical control techniques, restraint devices, transporters, pain compliance, takedowns, and counter-moves.

## OVERALL 2019 FIGURES

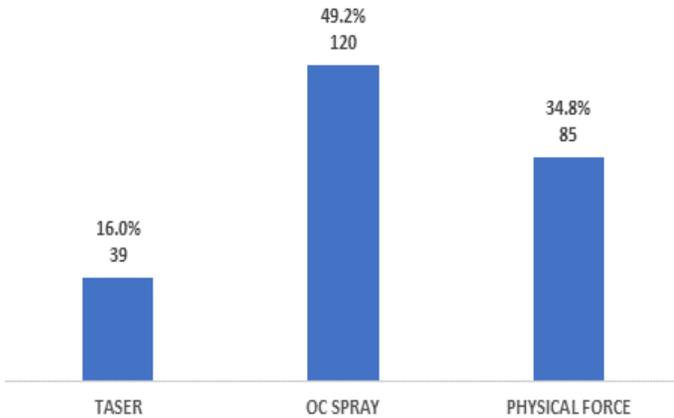
From **January through June 2019**, there were **275** RTR incidents involving Police officers employed by the Jacksonville Sheriff's Office (JSO) and **143** RTR incidents involving Corrections officers.

**Three (3)** officer-involved shootings of suspects occurred during this period in 2019.

The **275 of Police** RTR incidents included **426** applications of force. (Some incidents involve multiple applications of force). The majority of uses of force involved either the use of physical force (237, or 55.6% of all applications) or the use of a CEW (165, or 38.7% of all applications).

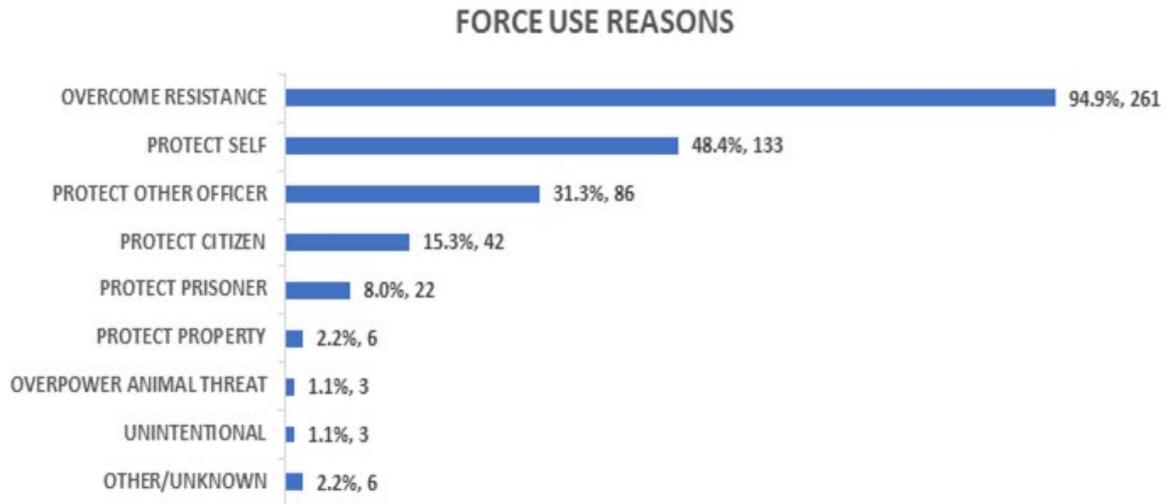


### CORRECTIONS APPLICATIONS OF FORCE TYPE



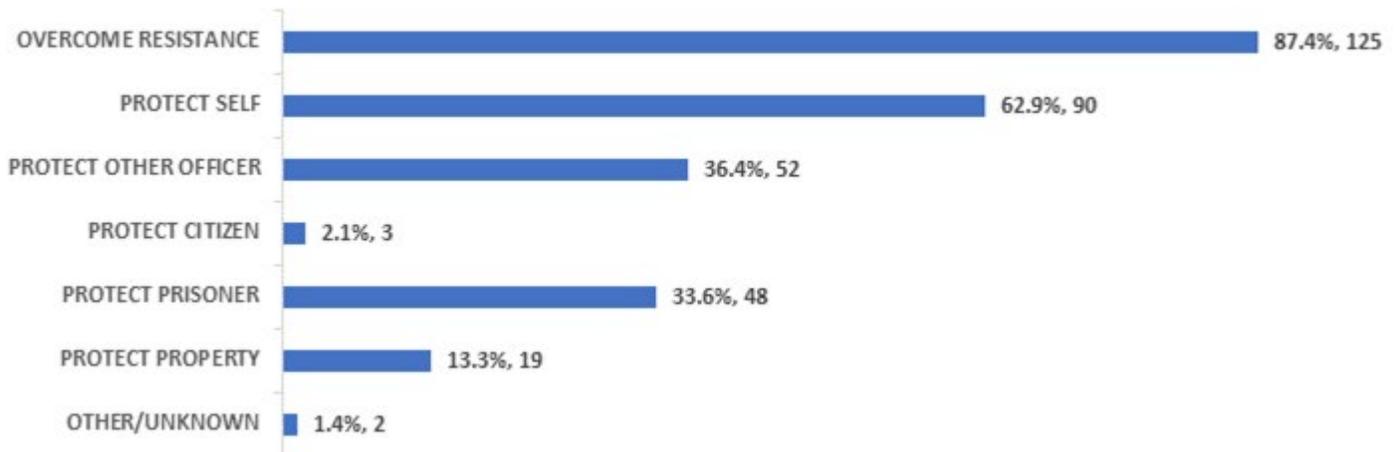
The **143 of Corrections** RTR incidents included **244** applications of force. The majority of uses of force involved (Oleoresin Capsicum (OC) Spray (120, or 49.2%).

## REASONS FOR USES OF FORCE



**261** RTR incidents (94.9%) were the result, at least in part, of the need to overcome the resistance of a subject. **151** RTR incidents (54.9%) were the result, at least in part, of the need for officers to protect themselves or others. Includes "Protect Self", "Protect Other Officer", "Protect Citizen", "Protect Prisoner" and "Protect Victim & Others"

### CORRECTIONS FORCE USE REASONS



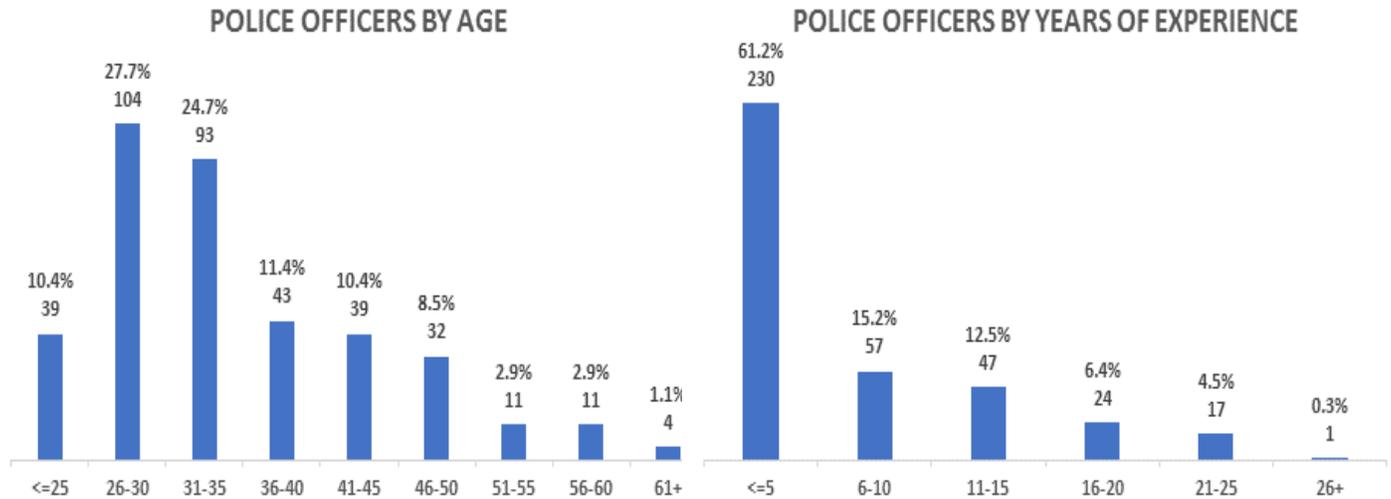
**121** RTR incidents (**87.4%**) were the result, at least in part, of the need to overcome the resistance of an inmate.

**108** RTR incidents (**75.5%**) were the result, at least in part, of the need to protect themselves or others.

## INDIVIDUALS INVOLVED IN POLICE RTR INCIDENTS

**Total # of Officers Involved in All Incidents: 376**  
**61.2%** of officers had 5 years of experience or less.  
**87.5%** of officers were On Duty during the incidents.  
**52.4%** of officers on-viewed the incident.

**Total # of Subjects Involved: 278**  
**7** subjects were involved in 2 separate incidents.  
**48.6%** of subjects were 30 years of age or younger.



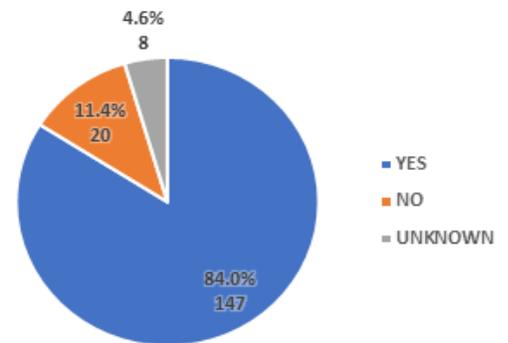
## SUBJECTS INVOLVED IN POLICE RTR INCIDENTS

**62.9%** of the **278 subjects** were injured or alleged that they were injured in use-of-force incidents. **84%** of those were injured by the RTR. Officers are required to designate an incident a use-of-force incident if the subject alleges a non-visible injury or reports an injury that was not directly related to the use of force.

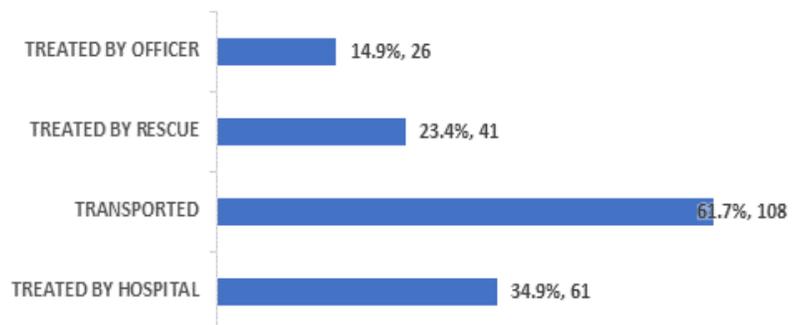
**2** subjects died from injuries sustained from the use of deadly force.

**1** subject was non-fatally shot.

### SUBJECTS INJURED BY RTR



### SUBJECTS INJURY TREATMENT

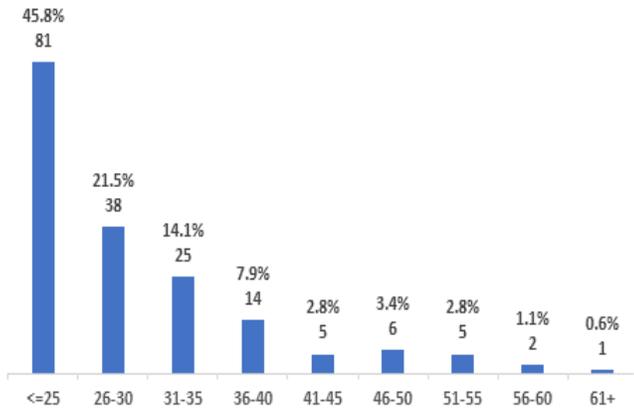


## INDIVIDUALS INVOLVED IN CORRECTIONS RTR INCIDENTS

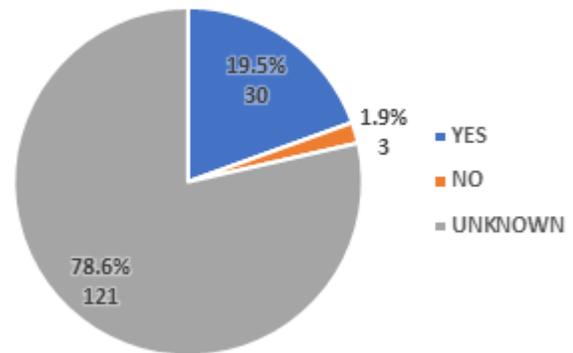
**Total # of Officers Involved in All Incidents: 177**  
**79.1%** of officers had 5 years of experience or less.

**Total # of Inmates Involved: 154**  
**2** inmates were involved in 3 separate incidents.  
**13** inmates were involved in 2 separate incidents.  
**48.6%** of inmates were 30 years of age or younger.

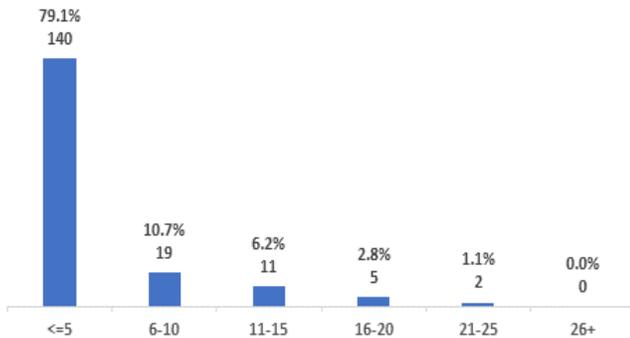
**CORRECTIONS OFFICERS BY AGE**



**INMATES INJURED**



**CORRECTIONS OFFICERS BY YEARS OF EXPERIENCE**



## **BATTERY ON A LAW ENFORCEMENT OFFICER (BOLEO)**

A battery on a law enforcement officer occurs when a sworn law enforcement officer or non-sworn correctional officer, acting in those capacities, is a victim of a simple or aggravated assault/battery; or a victim of a sexual battery; or is killed.

Officers who charge a suspect with resisting arrest with violence are also required to complete an officer assaulted /killed report indicating an officer was a victim of that crime.

- **102 documented incidents involving assaults on law enforcement officers**
- **Of the 102 incidents, 130 officers (JSO) were involved**
- **Of the 130 officers involved, 48 sustained injuries as a result**

## **DOCUMENTATION AND REVIEW OF RTR INCIDENTS**

JSO members are required to complete an RTR report following an RTR incident. This report is reviewed by the member's chain-of-command and by the Professional Oversight Unit. Reports are subject to further review by the Director of Personnel & Professional Standards, the RTR Review Board, and/or the Internal Affairs Unit, to ensure compliance with JSO policy and training. The Cold Case Unit responds and investigates all incidents where a firearm was discharged at an individual.

## **TRAINING**

The department conducts annual training on the use of all types of force, as well as additional training as needed. The JSO Training Academy and the Professional Oversight Unit monitor trends in the agency, as well as in other agencies, to ensure JSO policy and training represents national best practice standards. Training is conducted in a variety of methods, including:

- Basic law enforcement training classes
- Annual in-service training for officers and supervisors
- Monthly roll call training
- Specialized classes offered to officers for advanced training, including *Defensive Tactics* and *Understanding and Articulating RTR Incidents*
- Remedial training for officers who have demonstrated a deficiency in a specific area

## COMPLAINTS AGAINST MEMBERS

Complaints on members of the Jacksonville Sheriff's Office are accepted from any source and forwarded to the Internal Affairs Unit. The Internal Affairs Unit conducts a preliminary review of each complaint and all evidence / documentation associated with the complaint. Complaints involving allegations of misconduct are either forwarded to the member's supervisor for further investigation (when the allegation is of **minor misconduct**) or are investigated by an Internal Affairs Detective (when the allegation is of **serious misconduct**). Based on the results of the investigation, each complaint is given one of the following dispositions:

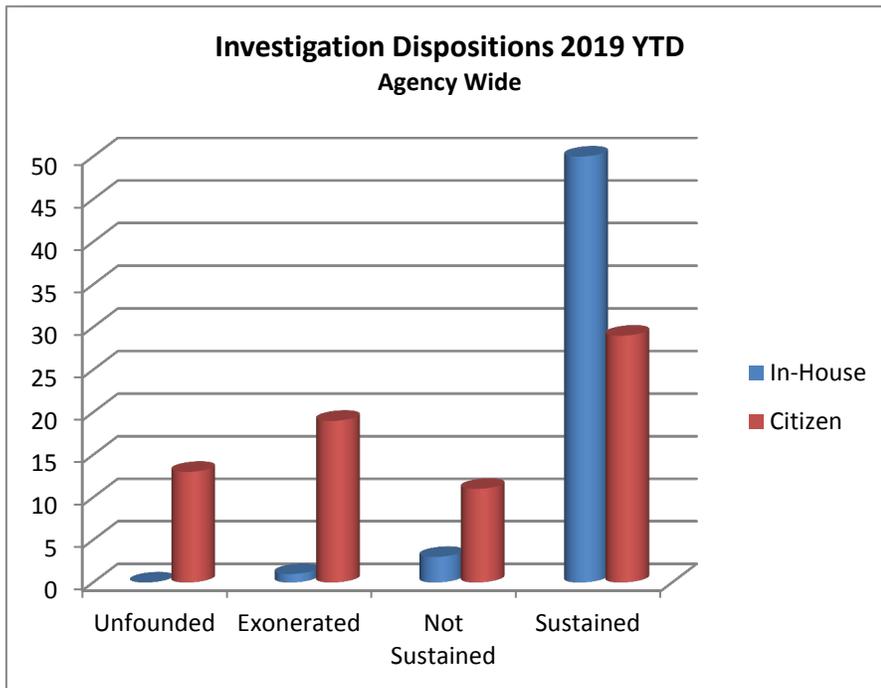
- **Unfounded** – The administrative investigation determined the allegations were false or were not supported by the facts.
- **Exonerated** – The administrative investigation determined the alleged actions occurred, but were lawful and proper.
- **Not Sustained** – The administrative investigation determined there was insufficient evidence to either prove or disprove the allegation.
- **Sustained** – The administrative investigation determined there was a preponderance of evidence to support a violation of agency rules and/or regulations.

When a complaint is **sustained**, the Sheriff's Office administers corrective and/or disciplinary action to the member, for the purpose of preventing future violations of policy. The scale of corrective and disciplinary actions that follow a sustained complaint, in order from least severe to most severe, are:

- **Remedial Training** – The member is given additional training in an area where he/she has demonstrated one or more deficiencies. Remedial Training can be given in addition to any other form of corrective/disciplinary actions; it is not considered discipline.
- **Informal Counseling** – The member is given a verbal warning regarding the violation(s) of policy. Informal Counseling is not considered discipline.
- **Formal Counseling** – The member is given a written warning regarding the violation(s) of policy. This step is also not considered discipline, but is a more significant course of action than an Informal Counseling.
- **Written Reprimand I** – This is the first official disciplinary step in the scale. The member is given a document that outlines his violation(s) of policy, discusses consequences for future violations, and stays active for three years. Written Reprimands are given when a member has not responded to previous training and/or counseling, but they are also given without any previous corrective actions if the violation is significant enough.
- **Written Reprimand II** – A Written Reprimand II is similar to a Written Reprimand I, but is given for more significant violations of policy.
- **Suspension or Demotion** – When a member has failed to respond to written reprimands or when a member commits an act of serious misconduct, he/she may be suspended without pay or, if the member has achieved supervisory rank, he/she may be demoted to a previously-held rank.
- **Termination** – In situations where a member has committed particularly serious violations of policy, or has committed numerous violations of policy without any improvement in performance, he/she may be separated from the Sheriff's Office.

During this period in 2019, there were **451** total complaints received by the Internal Affairs Unit regarding employees (Police, Corrections, and Civilian). Of those 453 files, **394** were submitted by citizens and **57** were initiated by a JSO supervisor or other member. Following the preliminary review conducted by the Internal Affairs Unit, **124** of those complaints necessitated further investigation by either the member’s supervisor or by the Internal Affairs Unit.

### COMPLAINTS ADMINISTRATIVELY INVESTIGATED IN 2019YTD



**77** (62.7%) were *Sustained*  
(50 in-house / 29 citizen)

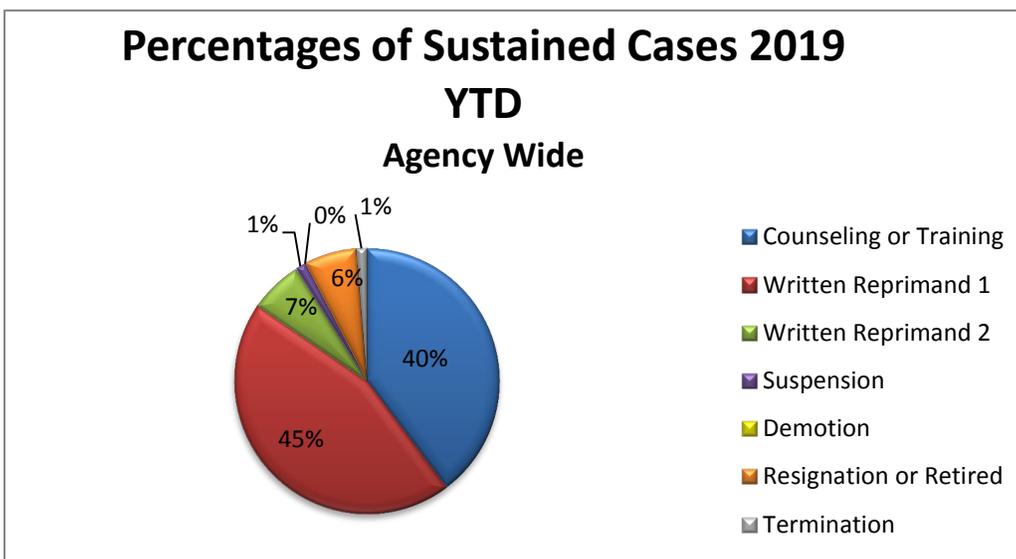
**20** (15.9%) were *Exonerated*  
(1 in-house / 19 citizen)

**13** (10.3%) were *Unfounded*  
(0 in-house / 13 citizen)

**14** (11.1%) were *Not Sustained*  
(3 in-house / 11 citizen)

Please note: 2019 YTD totals will not include complaints that are still active investigations or complaints that did not warrant an administrative investigation.

### CORRECTIVE / DISCIPLINARY ACTIONS FOR SUSTAINED CASES IN 2019



JSO Bi-annual Open Data Report 2019 - All numbers are as reported on 06/30/2019 and may be changed as investigations proceed.

## COMPLAINTS OF BIAS-BASED PROFILING

Complaints that allege any form of bias-based profiling are distinctly monitored so that any trends can be easily identified. Bias-based profiling occurs when, whether intentionally or unintentionally, employees apply their own personal, societal, or organizational biases or stereotypes when making decisions or taking law enforcement action, and the **ONLY** reason for that decision or action is because of a person's race, ethnicity, background, gender, sexual orientation, religion, economic status, age, culture or other personal characteristic, rather than due to the observed behavior of the individual or the identification of the individual being engaged in criminal activity.

The Internal Affairs Unit has received **two (2)** bias-based complaints in in the first six months of 2019 (*January – June 2019*). Based on the investigations conducted, both of those complaints were given a disposition of *Unfounded* or *Exonerated*.

## COMPLAINTS OF UNNECESSARY FORCE

In 2019, the JSO received **twenty five (25)** complaints alleging unnecessary use of force. Of those 25, **fourteen (14)** were not formally investigated based on the initial review of information gathered by Internal Affairs, which clearly showed officers were within policy. The remaining **eleven (11)** cases were investigated and resulted in the following dispositions:

- 4** cases were classified as *Exonerated*.      **1** case was classified as *Sustained*.
- 2** cases were classified as *Not Sustained*.      **4** cases were still open as of June 30, 2019.

## CONCLUSION

The Professional Oversight Unit (POU) is responsible for overseeing administrative cases related to response-to-resistance (RTR) incidents, JSO-vehicle crashes/incidents, and vehicle pursuits, as well as facilitating the operation of the RTR Review Board, Safety Review Board, Personnel Early Intervention Program, and all process improvement projects for the agency. By having this additional layer of administrative review, JSO can continue to ensure members comply with policy, training, and national standards. The Professional Oversight Unit will continue to review incidents and determine if any modifications to training, policy, practices, or equipment are needed.