

**AN OVERVIEW OF MILWAUKEE POLICE
DEPARTMENT USE-OF-FORCE INCIDENTS:
JANUARY 1, 2013 TO JUNE 30, 2013**



**REPORT OF THE
FIRE AND POLICE COMMISSION**

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The purpose of this report is to provide an update on the number and nature of use-of-force incidents recorded by the Milwaukee Police Department (MPD) from January 1, 2013 to June 30, 2013. More detailed analyses of annual baseline measures will be provided in the 2013 year-end report. 2013 is the fifth year in which MPD use-of-force incidents have been analyzed. As discussed below, substantial changes in MPD use-of-force reporting procedures were made January 1, 2013; the data and findings reported here reflect those changes. Consequently, much of the data analyzed here are not comparable to the data analyzed prior to 2013. Only when appropriate is pre-2013 data compared to current 2013 data.

As with the previous interim and annual reports, the data analyzed here were contained in the MPD AIM (Administrative Investigations Management) System. The AIMS database contains a comprehensive list of variables on each use-of-force incident recorded by the MPD. Some data relate directly to the incident (e.g., date of incident, district of incident, number of officers involved in incident) but most of the data relate to the officers (e.g., officer race, officer rank, type of force used by officer, etc.) and subjects (e.g., subject age, race, charge, etc.) involved in the incidents. There are separate variables for each officer (up to six officers) and each subject (up to three subjects) involved in the incident. The AIMS data were manually converted to SPSS (Statistical Package for the Social Sciences) format for analysis.¹ 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. In preparing

¹ The creation of this database required substantial work and knowledge of the intricacies of the AIM System and SPSS software. This work was performed by Joseph Lawler of the Fire and Police Commission.

this report, these narratives were reviewed and used to verify and, in some cases, supplement the data contained in AIMS. The narratives for the first six months of 2013 comprised 1,559 pages of text. Additional data on the number of arrests made by MPD officers were obtained separately from the MPD.

Frequency of Use-of-Force Incidents

From January 1, 2013 to June 30, 2013 there were 539 use-of-force incidents recorded by the MPD.² Of the 539 incidents, 17 were for the purpose of euthanizing an injured animal (16 deer, 1 raccoon). Eight incidents were completely accidental.³ As these 25 incidents are fundamentally different from other use-of-force incidents in purpose and intent of the force, these incidents are excluded from all subsequent analyses. Accordingly, 514 use-of-force incidents are analyzed in this report. Of the 514 incidents, 12 involved force being used against one or more dogs. These incidents are included in most of the analyses and are also analyzed separately later in the report.

² According to MPD Use of Force policy 460.35: The *Use of Force Report* shall be completed by a supervisory officer when a Department member discharges a firearm; uses a baton in the line of duty; discharges an irritant, chemical, or inflammatory agent; deploys an Electronic Control Device, to include non-contact spark display, contact stun, and probe deployment; Department canine bites a person; 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; uses bodily force that involves focused strikes, diffused strikes, or decentralizations to the ground; uses any type of force in which a person is injured or claims injury, whether or not the injury is immediately visible.

The most significant change in this reporting policy from the pre-2013 policy as it relates to the number of incidents reported is that prior to 2013, incidents that involved “bodily force only” without injury or complaint of injury from the subject were not required to be documented.

³ Five of these incidents involved an accidental discharge of a service handgun and three involved the accidental discharge of an ECD.

Table 1 provides a breakdown of the 514 incidents by month. As seen in Table 1, there was variation in the frequency of incidents across month with fewer incidents earlier in the year. The mean number of incidents per month was 85.7, with a low of 76 incidents in February and a high of 95 incidents in April and June. There was an average of approximately 2.84 use-of-force incidents per day from January to June 2013.

Table 1. Monthly Distribution of Use-of-Force Incidents

Jan	Feb	March	April	May	June	TOTAL
77	76	78	95	93	95	514

Note: No missing data.

Frequency of Use-of-force Incidents and Arrests

Because most use-of-force incidents occur during arrests, it is important to consider the number of use-of-force incidents in relation to the number of arrests made. Further, in this calculation, it is reasonable to include only the use-of-force incidents that involved an arrest. Again, from January 1, 2013 to June 30, 2013, there were 514 reportable use-of-force incidents. Of these 514 incidents, 502 involved a person who could have been arrested (the other 12 incidents involved a dog). Of the 502 incidents where someone could have been arrested, in 481 of them a subject was actually arrested. Also during this time period, MPD officers made a total of 16,136 arrests.⁴ Accordingly, for each arrest where force was used, there were 33.5 arrests where force was *not* used

⁴ As defined here, an arrest refers to when an officer physically takes a subject into custody. Included here are arrests for felonies, misdemeanors, and ordinance violations.

(16,136 / 481 = 33.5). Overall, less than 3% (2.98%) of all arrests involved the use-of-force (481 / 16,136 * 100 = 2.98%).

Table 2 shows the results of analyses on use-of-force incidents where an arrest was made in relation to the total number of arrests made, by month.

Table 2. Rate of Use-of-Force Arrest Incidents by Number of Arrests Made, by Month

	Jan	Feb	March	April	May	June	TOTAL
Number of Use-of-Force Incidents That Involved an Arrest	76	73	73	87	87	85	481
Total Number of Arrests Made	2760	2561	2680	2742	2885	2508	16136
% of Arrests that Involved Use-of-force	2.75%	2.85%	2.72%	3.17%	3.02%	3.39%	2.98%

In an absolute sense, there is minimal variation in the percentage of arrests that involved force by month. Interestingly, and as expected, there is a moderate correlation between the number of use-of-force incidents that involved an arrest and the total number of arrests, by month ($r = .32$). In essence, one can reasonably estimate the number of use-of-force incidents that involved an arrest based on the total number of arrests that were made. In other words, more arrests are related to more use-of-force incidents, fewer arrests are related to fewer use-of-force incidents.

Characteristics of Officers and Subjects Involved in Use-of-Force Incidents

The 514 use-of-force incidents involved 430 different officers. Most incidents involved one officer (328 incidents out of 514; 63.8%) and one subject (494 incidents out of 502; 98.4%).⁵

In 94.0% of incidents, the first officer involved was male, in 70.8% the officer was white, in 95.1% the officer was the rank of police officer, in 98.8% of the incidents the officer was on duty, and in 96.1% the officer was in uniform. The average (mean) age of the first officer involved was 36.4 years and the first officer's mean length of service was 9.9 years.⁶

In 81.8% of the incidents, the first subject involved was male, in 78.0% the subject was Black. The average (mean) age of the first subject involved in the incident was 28.8 years. In 39.7% the subject was under the influence of alcohol and/or drugs, and in 96.4% of the incidents the subject was arrested. The most common charge was "resisting/obstructing an officer" (by itself or in combination with other charges). In 72.0% of incidents, the first subject had a criminal record. The characteristics of officers and subjects involved in use-of-force incidents are substantially similar to previous six month reporting and analysis periods.

⁵ In this section, analyses relating to "subjects" do not include incidents involving dogs (n = 12; 502 incidents included).

⁶ The statistical statements relating to officer (and subject) characteristics are not unambiguous. Ideally, one would like to be able to state the overall representation of officers who were involved in use-of-force incidents (e.g., "The average age of all officers involved in use-of-force incidents was 36.4 years"). Rather, due to the structure of the database and that each officer involved in the incident is listed as a separate variable, the closest corresponding statement is that "the average age *of the first officer* involved in use-of-force incidents was 36.4 years."

The Type of Force Used in Use-of-Force Incidents

With regard to the type of force used, it is seen in Table 3 that the largest proportion of incidents involved bodily force only (73.0%), followed by ECD only (6.2%), and bodily force and chemical agent only (4.7%). Eighteen incidents (3.5%) involved a firearm.

Table 3. Type of Force Used, January to June 2013

Type of Force Used	Frequency	Percentage
Bodily Force Only	375	73.0
ECD only	32	6.2
Bodily Force and Chemical Agent	24	4.7
Chemical Agent Only	22	4.3
Firearm Only	18	3.5
Bodily Force and ECD	14	2.7
Other (no firearm)	12	2.3
Handcuffing Only	6	1.2
Forced Blood Draw	5	1.0
Bodily Force, ECD, and Chemical	4	.8
Baton Only	2	.4
Total	514	100.1

Note: Percentage does not total 100 due to rounding.

It is necessary to compare the type of force used in incidents during the first six months of 2013 with those of previous six month reporting periods, particularly in light of the 2013 policy change. This comparison provides details as to the nature of the increase in use-of-force incidents during the reporting periods.

Table 4 shows a disaggregation of use-of-force incidents by the type of force used for each six month reporting period in which data were analyzed.⁷ For simple comparison purposes, only raw frequencies are provided. The types of force listed are based on categories used in pre-2013 analyses.

Table 4. Type of Force Used, January to June, by Year

Type of Force Used	2010	2011	2012	2013
Bodily Force Only	92	94	87	375
ECD only	37	45	39	32
Chemical Agent Only	46	25	27	22
Bodily Force and Chemical	33	26	20	24
Firearm Only	18	25	16	18
Bodily Force and ECD	11	18	9	14
Baton Only	1	1	2	2
Other or Other Combination (no firearm)	14	19**	9	12
Total	252*	253	209	514

Notes: * Missing data (1 case) excluded from the analysis; ** 1 incident involved a firearm.

Table 4 clearly shows an overall increase in use-of-force incidents in 2013 compared to previous years in which data were analyzed (514 incidents in 2013 versus 209 in 2012, 253 in 2011, and 252 in 2010); however, upon closer examination, it is seen that the increase in incidents in 2013 is due to the increased number of incidents that involved body force only (n=375). Again, it is this type of force that was most clearly affected by the 2013 policy change. Nearly every other type of force has shown either a steady or uneven decline since 2010. As such, it is important to highlight that the increase in use-

⁷ Although 2009 data were analyzed and reported, a nine month reporting period was used, not a six month period. Therefore, 2009 data are not comparable to subsequent years where a six month reporting period was used and are not included here.

of-force incidents during the first six months of 2013 (compared to the first six months of 2010, 2011, and 2012) is due to the reporting policy change, not a change in officer conduct.

Firearm Force

Given the absolute and relative seriousness of force delivered via a firearm, additional details about these incidents are provided here. Of the 18 incidents in which a firearm was used, three involved a non-fatal shooting of a subject, three involved a fatal shooting of a subject, and twelve involved a dog.

Of the six incidents that involved subjects, three involved a subject with gun/weapon complaint, two involved an armed robbery, one related to a subjects' suicide attempt, and one involved boy/girl trouble. All six incidents involved subjects who were armed (3 with guns, 2 with knives, 1 with a pipe). In one incident, the officer involved was off-duty (and the victim of an armed robbery).

Of the twelve shooting incidents that involved a dog, each incident involved one dog. The twelve incidents that involved a dog resulted in six dogs being killed and three being non-fatally injured. The other three dogs were shot at but were not hit. Seven of the twelve dogs were Pit Bulls; the other dogs were Rottweilers, German Shepherds, and Mastiffs. Most of the incidents related to a loose dog complaint to which officers were dispatched. In none of the incidents was an officer bit by the dog.

Location of Use-of-Force Incidents

Two variables are provided in the AIM System database that relate to the geographic location of the incidents: police district (Table 5) and aldermanic district (Table 6).

Similar to previous years, the largest proportion of use-of-force incidents occurred in Police District 7 (31.0%), the smallest proportion occurred in District 1 (1.8%) (Table 5). As for aldermanic district, District 7 had the largest share of use-of-force incidents (15.2% of the total) while District 3 had the smallest share (1.8%) (see Table 6).

Table 5. Location of Use-of-force Incidents: Police District

Police District	Frequency	Percentage
1	9	1.8
2	79	15.5
3	89	17.5
4	55	10.8
5	85	16.7
6	35	6.9
7	158	31.0
Total	510	100.2

Note: Missing data (4 cases) are excluded from the analyses; percentage does not total 100 due to rounding.

Table 6. Location of Use-of-force Incidents: Aldermanic District

Aldermanic District	Frequency	Percentage
1	37	7.3
2	33	6.5
3	9	1.8
4	34	6.7
5	16	3.2
6	66	13.0
7	77	15.2
8	19	3.7
9	24	4.7
10	31	6.1
11	9	1.8
12	53	10.5
13	15	3.0
14	17	3.4
15	67	13.2
Total	507	100.1

Note: Missing data (7 cases) are excluded from the analyses.

Conclusion

Based on an analysis of the 514 use-of-force incidents that occurred between January 1, 2013 and June 30, 2013, it is seen that incidents were relatively stable across month, were relatively infrequent in relation to the number of arrests made, involved relatively few officers, and the vast majority involved officers using bodily force only. Most incidents involved white male police officers who were on duty. Most incidents involved Black male subjects with a prior criminal record and, in the large majority of incidents, the subjects involved were arrested. The largest proportion of incidents occurred in Police District 7 and in Aldermanic District 7. In these ways, the incidents in

the first six months of 2013 were similar to those that occurred during of the first six months of prior years.

It is also clear that the number of use-of-force incidents from January to June, 2013 increased substantially from prior six month reporting periods. However, it is critical to highlight that it appears that this increase is a direct result of the use-of-force reporting policy change, not the actions of officers. Specifically, only “bodily force only” incidents increased significantly from prior years and this was an expected consequence given the nature of the policy change that requires these incidents to be reported even if they did not involve an injury to the subject. It is misleading to state *without additional explanation* that use-of-force reports more than doubled from the first six months of 2012 to the first six months of 2013.

The 2013 year-end report will provide additional analyses to identify patterns and trends in incidents, including details about the outcomes associated with use-of-force incidents (i.e., officer and subject injuries) and the effectiveness of various types of force in bringing incidents to a conclusion.