

# Council Business Meeting

May 19, 2020

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| <b>Agenda Item</b> | Ashland Police Department Annual Use of Force Report                                    |              |
| <b>From</b>        | Tighe O'Meara   | Police Chief |
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## SUMMARY

Since 2008 the police department has come before Council to provide an annual use of force report. This presentation has grown in scope and now includes use of force, crime and clearance rates, an update on the enhanced law enforcement area (ELEA) as well as an update on the use of section 10.58 of the Ashland Municipal Code.

## POLICIES, PLANS & GOALS SUPPORTED

47. Keep the Council informed of organizational activity and provide timely information for Council decision-making.

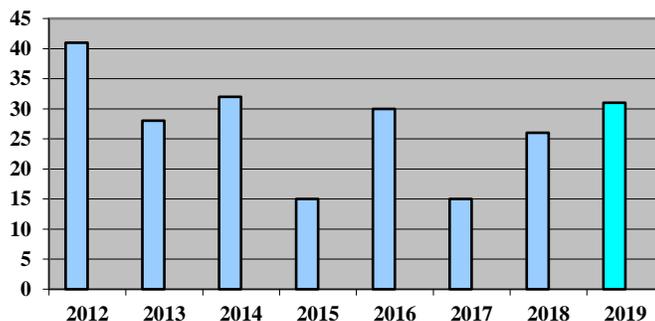
## PREVIOUS COUNCIL ACTION

N/A

## BACKGROUND AND ADDITIONAL INFORMATION

During 2019 the Police Department used force 31 times. This represents an increase from 2018's 25 incidents. There were two instances of the Taser conducted energy weapon being deployed and used in 2019. Pepper spray was deployed on three occasions in 2019. Neither the less lethal shotgun nor the straight baton was used in 2019. There were seven instances of officers being injured, with all the injuries being fairly minor. Of the 31 instances of use of force, 17 resulted in the prisoner complaining of an injury. All of those complaints were minor in nature, and in no case did the prisoner require medical care. Sixty-four percent of the use of force incidents involved a person under the influence of drugs or alcohol. Sixty-three percent of the use of force incidents occurred at night. In 2019 APD handled 32,539 calls for service and generated 3,509 case reports. This means that .88%, or 8/10<sup>th</sup> of one percent, of the cases that were handled by the APD resulted in a use of force.

Number of Use of Force Incidents Since 2012



The department's use of force review board reviews all instances of the use of force. All the incidents of use of force in 2019 were deemed to be within policy.

**UPDATED Information: Of the 31 uses of force 29 of the suspects where white, 2 were Hispanic, no other races were represented.**

**Of the 31 uses of force:**

- the TASER Conducted Energy Weapon (CEW) was used 2 times with neither use being effective**
- OC (pepper) spray was used 3 times with all 3 uses being effective**
- the rest of the incidents involved empty hand techniques such as take downs, joint locks, control holds and empty-handed strikes**

During 2019 Ashland officers received a total of 1,453 hours of use of force training.

Crime rate is based on the number of part one crimes occurring in a jurisdiction. Part one crimes are those that are reported annually to the FBI for inclusion in the Uniform Crime Report. They are homicide, rape, robbery, aggravated assault, burglary, auto theft, arson and larceny. In 2019 the city saw a total of 569 part one crimes. This is down from the 743 reported in 2018. For further comparison in 2017 the PD took 799 part one cases, in 2016 it took 886 and 2015 we took 698. Violent crime is defined as homicide, rape, robbery and aggravated assault. There were 25 violent crimes reported to the Ashland Police Department in 2019, down 20% from 2018. Clearance rates for part one crime remains high at 30%. Clearance rates for violent crime remains very high at 80%.

The Enhanced Law Enforcement Area (ELEA) ordinance has been in effect since August of 2012. The ELEA is roughly defined as downtown. In this area we see a concentrated number of complaints and disorderly behavior as this is the focal gathering point for many members of the community. A conviction of three or more qualifying violations (or crimes) in Ashland Municipal Court within a six-month period may result in a person being expelled from the downtown area. The qualifying violations are: scattering rubbish; unnecessary noise; dogs-control required; consumption of alcohol; open container of alcohol; dog license required; or use of marijuana in public. In 2018 there were 140 ELEA violation convictions in the municipal court. There were eight people expelled from the downtown area and there were four people charged with persistent violator failure to appear under the city ordinance. The ELEA continues to be a valuable tool to address chronic negative behavior.

For several years we have used calls for service downtown for disorderly-type behavior as a metric for quality of life issues downtown. 2019 saw a continued decrease from the high in 2017. The metric tracks calls for service such as disorderly behavior, drinking in public, urinating in public as well as others.

**2014: 199   2015: 322   2016: 335   2017: 360   2018: 216   2019: 198**

Since Ashland Municipal Code 10.58, Failure to Provide Name and Date of Birth to a Peace Officer, was adopted it has not been used.

**FISCAL IMPACTS**

None

**STAFF RECOMMENDATION**

None

**ACTIONS, OPTIONS & POTENTIAL MOTIONS**

None

**REFERENCES & ATTACHMENTS**

None