



# 2007 Force Response Report

January 1, 2007-December 31, 2007

San Jose Police Department

## **INTRODUCTION**

In 2004, the San Jose Police Department (SJPD) voluntarily initiated a study and subsequent report of Taser usage. In 2006, the SJPD published a report on all reportable force used by SJPD members. In June 2007, the City Council directed the Chief of Police to conduct a deeper data analysis for the use of force report, including, but not limited to, the location of arrest, residence of those arrested, and the time of day the arrest occurred. The *2007 Force Response Report* (Report) responds to this direction by Council.

In the last year, SJPD staff worked with a consultant to revise the forms used to collect use of force information. Most notably, the *2007 Force Response Report* was updated from an incident-driven focus to a suspect-driven focus.<sup>1</sup> The incident-driven approach did not accurately account for the number of suspects involved in the total number of incidents requiring force. The information provided in previous reports could not clearly delineate pertinent suspect information, such as name, date of birth, city of residence, gender, and race in incidents involving multiple suspects. The data in the SJPD's *2007 Force Response Report* is now suspect-driven, enabling the SJPD to (1) track incidents requiring force responses pertaining to individual suspects and (2) identify force incidents that occurred in the different police service areas.

The SJPD's self-initiated efforts to compile, analyze and share force-related information has proven to be valuable in identifying training needs and increasing public awareness. However, while the SJPD recognizes the inherent value in studying and sharing force-related information with the community it serves, there is no straightforward method to accommodate the inevitable comparisons with other communities. The uniqueness of San Jose is based on many factors that contribute to the uniqueness of all cities: the dynamic mix of people, environment, culture, City/Department policies, demographics, and broader socioeconomic conditions. For these stated reasons, staff advises against comparing force response data to the City's general population; comparisons should be made to the finite population of those individuals arrested by SJPD officers during the study period of calendar year (CY) 2007.

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<sup>1</sup> Suspect-driven means that when an event involves multiple suspects, in which a force response was required, the Department will have a separate force response report for each suspect. These reports contain all of the information for the officers as it relates to each individual suspect. This allows for a more accurate account of suspect information and does not lead to duplicate information being recorded for the same suspect.

The previous method for data collection did not allow certain information about the suspect to be captured, (i.e. city of residence, charges, name, date of birth). This information is important in that it identifies the population for which data is provided in the report. The population the Department is looking at is not the actual population of the City; rather it is the population of arrests/citations that the Department made during 2007. Comparing this data to the population of arrests/citations gives a clearer idea of force responses. With this in mind, it would not be feasible to compare the data from 2006 with the data from 2007.

## **REPORT HIGHLIGHTS**

The *2007 Force Response Report* is attached to this memo; highlights from the report are noted below:

- In CY 2007, the SJPD handled 436,624 calls for service compared to 413,731 in CY 2006. This is an increase of 5.53% in total call volume
- In CY 2007, there were 35,998 arrests (including criminal citations) and 1,037 incidents involving force response<sup>2</sup>
- Out of the 35,998 arrests, force was only necessary in the arrest, apprehension or overcoming resistance against 1,156 suspects, representing 3% of individuals arrested
- In the cases involving force responses (a suspect can fall into one or more category):
  - 435 were fugitives, parolees or on probation
  - 932 were under the influence of a chemical substance and/or mentally ill at the time of the incident
  - 910 attacked, resisted or injured an officer
- Officers have a variety of force options from which to select to control uncooperative suspects and may use more than one force option during a single incident. In CY 2007, 76% of the cases involved officers using the lowest levels of force on suspects: control holds and takedowns
- Nearly 30% of the 1,156 suspects who required a force response were non-San Jose residents
- Of the 1,057 total incidents involving force response, 170 incidents involving 226 subjects occurred in the Entertainment Zone<sup>3</sup>. The Entertainment Zone refers to a concentration of various nightclubs in the Downtown Area. Of those 226 suspects, 124 (nearly 55%) were non-San Jose residents. In its review, the Police Department found a higher rate of force responses in District Edward. Upon closer review, it was determined these force responses occurred in the Entertainment Zone and the Department has provided additional analysis for those incidents.

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<sup>2</sup> It should be noted that a Force Response Report is generated from any instance in which an officer uses reportable force. The number of force response incidents and the number of suspects requiring force response are not equal. If more than one suspect required a force response during an incident, there would be more than one Force Response Report generated for the single incident. In 2007 there were 1,037 incidents involving 1,156 suspects.

<sup>3</sup> The boundaries of the Entertainment Zone are generally defined as Highway 280 on the south, Julian Street on the north, Stockton Street on the west and Tenth Street on the east. (See page 23 for a map of the Entertainment Zone.)

## **CONCLUSION**

Officers have a variety of force options to select from based upon SJPD policies, procedures, training bulletins, experience, and individual perceptions of danger for each unique situation. This Report clearly demonstrates that officers overwhelmingly used the lowest level of force available (e.g. hands-on, control holds, takedowns, and body weapons) in 76% of the incidents to control uncooperative/combative suspects. Impact weapons and Tasers were used in 9% and 10% of the use of force incidents respectively, while OC Spray was used in 4% of the use of force incidents. The statistics signify that SJPD officers most commonly employ the lowest level of force available to control the overwhelming majority of uncooperative suspects, even though these incidents present the highest potential for personal injury to the officer as compared with any of the force options they could have otherwise selected.

The anchor point for community policing in San Jose is the SJPD's commitment to work with the community and City staff to deliver the wide array of neighborhood-based police services in the most collaborative, effective and transparent manner possible. As such, the SJPD shares the *2007 Force Response Report* in the hopes that it helps to inform SJPD staff and the public on how officers are using force in the field. The Police Department's ongoing training is updated to reflect what has been learned from this data.



ROBERT L. DAVIS  
Chief of Police

# 2007 Force Response Report

The San Jose Police Department (SJPD) utilizes a force response tracking form based on research of several agencies, including Federal, State and local departments so that the Department can provide accurate statistical data concerning force responses.

Force Response Reports (FRR) are generated whenever an officer uses reportable force. A reportable use of force is defined in the San Jose Police Department Duty Manual, Section L 2644, as:

“Any incident in which a sworn Department member, either on or off duty, exercises their police powers and uses deadly force or any force option including physical force in conformance with L 2603, Force Options Policy.”

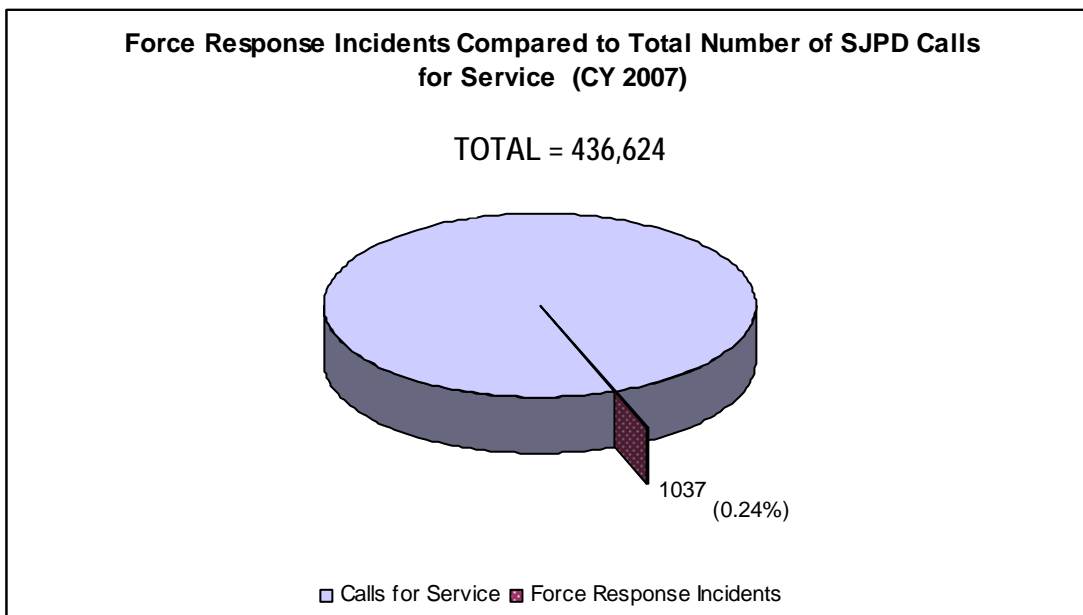
**EXCEPTIONS TO REPORTABLE FORCE:** The use of a firm grip control which does not result in injury, the appearance of injury or complaint of pain (e.g., the use of a grip to control the suspect's hands while searching or handcuffing); or, that force reasonable to overcome resistance due to physical disability or intoxication, which does not result in injury, the appearance of injury or complaint of pain (e.g., lifting an intoxicated person to a standing position).

In incidents when force is used on multiple individuals, one Force Response Report is completed for each person requiring a force response. At times, more than one officer may respond with force against an individual. In this instance, one Force Response Report would be generated, but all of the information for officers responding with force would be documented on the report. Therefore, the total number of Force Response Reports is greater than the total number of incidents in which a force response was required.

In Calendar Year 2007, the San Jose Police Department handled 436,624 calls for services, as compared to 413,731 in CY 2006. This is an increase of 5.53% in total call volume. A force response occurred in 1,037 of the incidents in CY 2007.

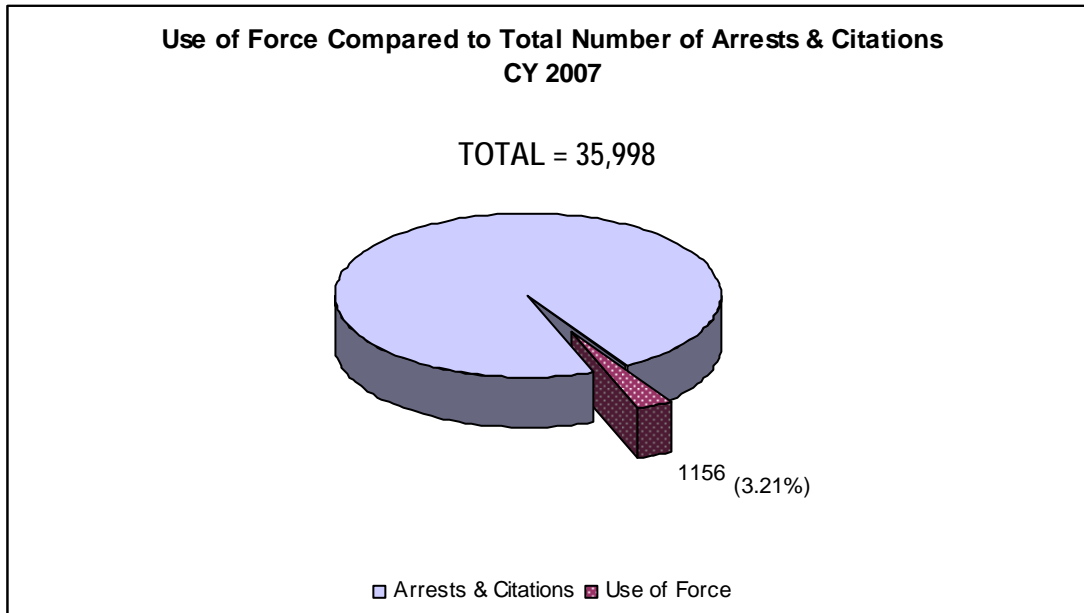
The following table illustrates the relationship between the total number of calls for service and the number of reported force responses.

Total number of calls handled by SJPD	Number of incidents involving a force response	Percentage of incidents involving a force response
436,624	1037	0.24%



In addition to the total number of incidents handled, the total number of arrests and citations is also compared to the reported force responses.

Total number of arrests and citations	Number of suspects requiring a force response	Percentage of arrests and citations involving a force response
<b>35,998</b>	<b>1156</b>	<b>3.21%</b>



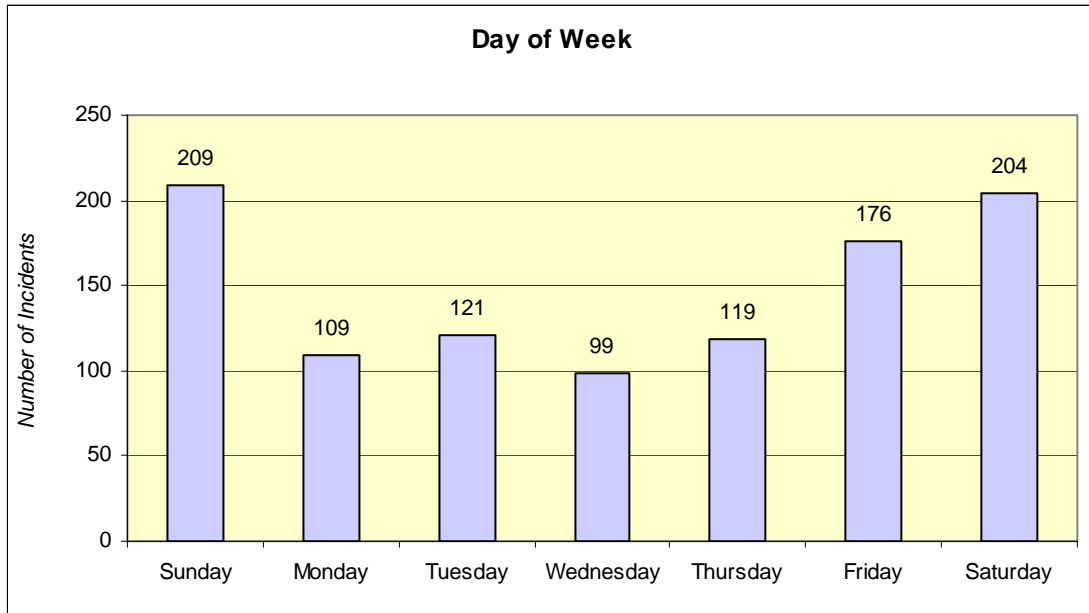
Force responses occurred in less than one-quarter of one percent of all incidents handled by the officers of the San Jose Police Department. Further, less than three and one quarter percent of all arrests and citations involved a force response.

In the 1037 incidents, 1156 individuals required a force response.

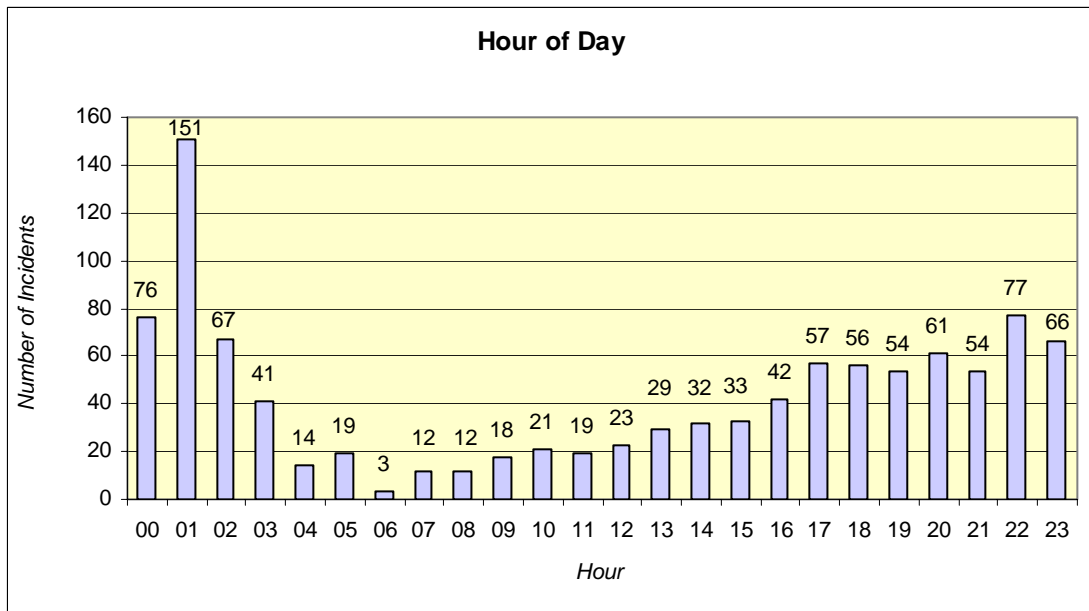
<b>Incidents Involving Force Response</b>	<b>1037</b>
<b>Total Number of Suspects</b>	<b>1156</b>

## Incident Information

### Day of Week:



### Time of Day:

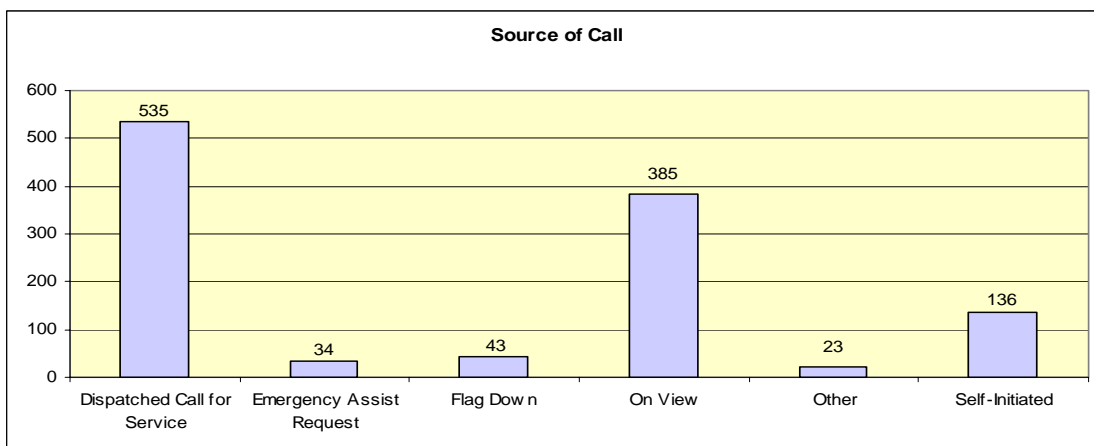


**Source of call:**

The Department has also broken down force responses by the source of the call in order to provide a picture of why the officer was at the scene of the force response. The category of Crimes in Progress includes any activity other than a dispatched call for service from a person requesting service on the 911 or 311 telephone lines (e.g., self-initiated activity, on-view crime, citizen flag downs, etc.).

Crimes in Progress	Dispatched Calls for Service	Total
621	535	1156

The source of call can be further broken down as listed below:



Source of Call	Count
Dispatched Call for Service	535
Emergency Assist Request	34
Flag Down	43
On View	385
Other	23
Self-Initiated	136
<b>Total</b>	<b>1156</b>

The following descriptions explain each source of call category:

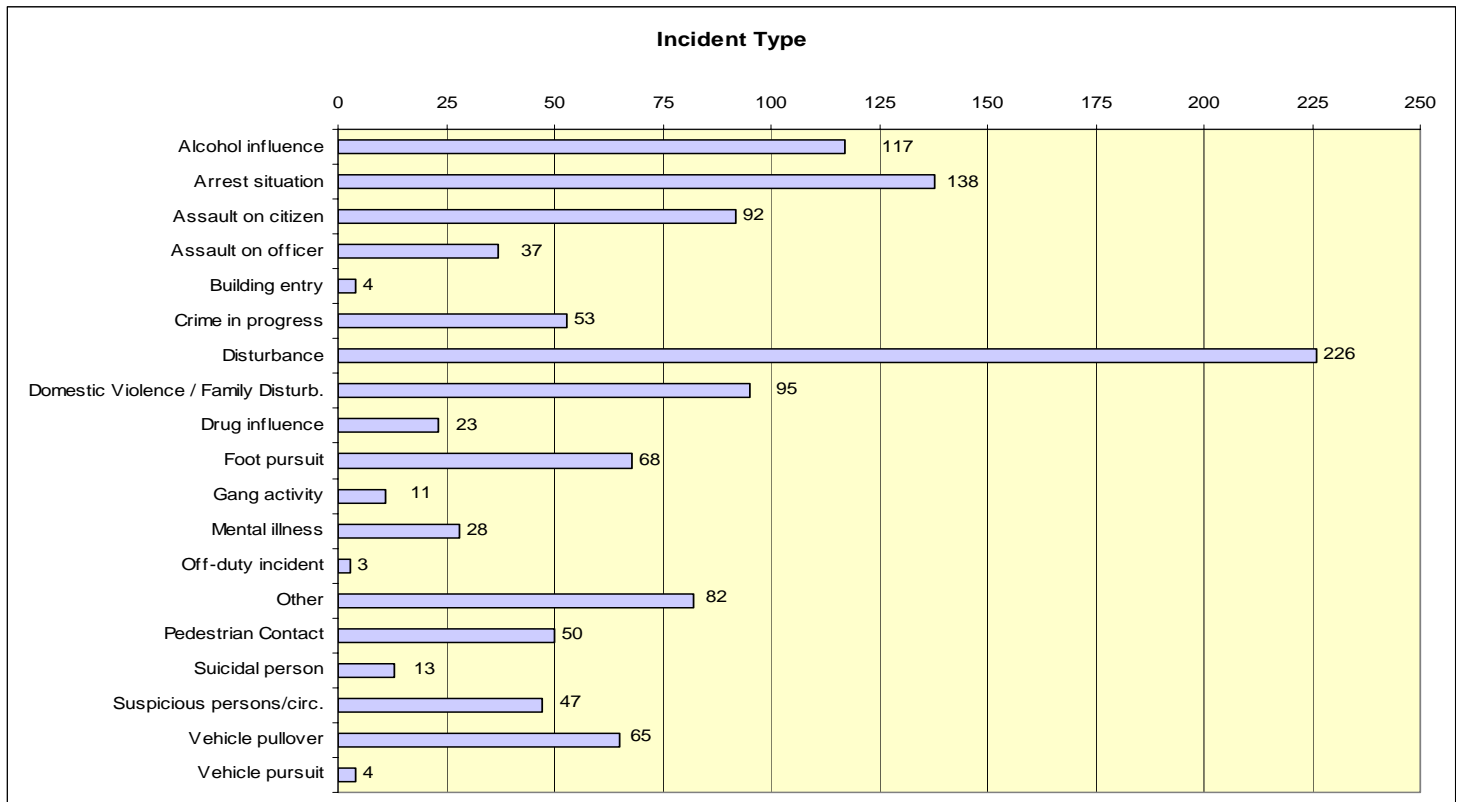
- On-View: The officer observed the incident already in progress without any direction from a citizen or dispatch
- Self-Initiated: The officer initiated the contact with a citizen; the contact led to a force response
- Dispatched call for service: The officer was made aware of the incident via communications. A specific request from another officer is included in this category
- Flag down: The officer was alerted to the incident by a citizen in the field
- Other: None of the other categories accurately describes the source of the incident.

Type	Count
Disturbance	226
Arrest situation	138
Alcohol influence	117
Domestic Violence / Family Disturbance	95
Assault on citizen	92
Other	82
Foot pursuit	68
Vehicle pullover	65
Crime in progress	53
Pedestrian Contact	50
Suspicious persons/circ.	47
Assault on officer	37
Mental illness	28
Drug influence	23
Suicidal person	13
Gang activity	11
Building entry	4
Vehicle pursuit	4
Off-duty incident	3
<b>Total</b>	<b>1156</b>

**Incident Type:**

The type of incident that officers initially responded to is listed in the table to the left and illustrated in the graph below.

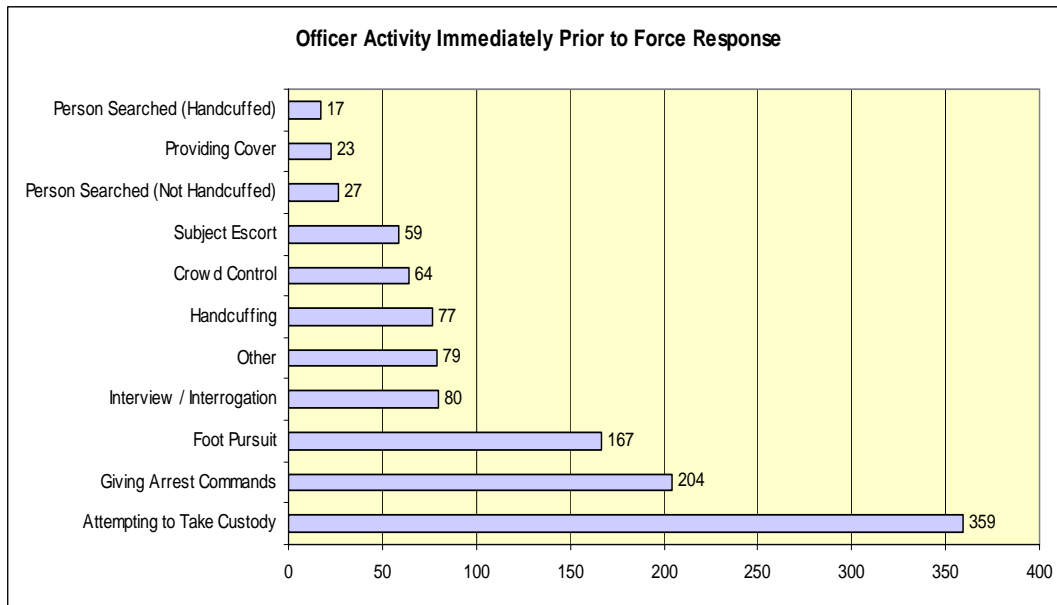
The majority of the types of incidents that officers are involved with are initially categorized as disturbances.



**Officer Activity Immediately Prior to Force Response:**

The table and graph below illustrate the officer’s activity immediately prior to the force response.

Officer Activity Prior to FR	Count
Attempting to Take Custody	359
Giving Arrest Commands	204
Foot Pursuit	167
Interview / Interrogation	80
Other	79
Handcuffing	77
Crowd Control	64
Subject Escort	59
Person Searched (Not Handcuffed)	27
Providing Cover	23
Person Searched (Handcuffed)	17
<b>Total</b>	<b>1156</b>



## Suspect Information

### Force Response by Race:

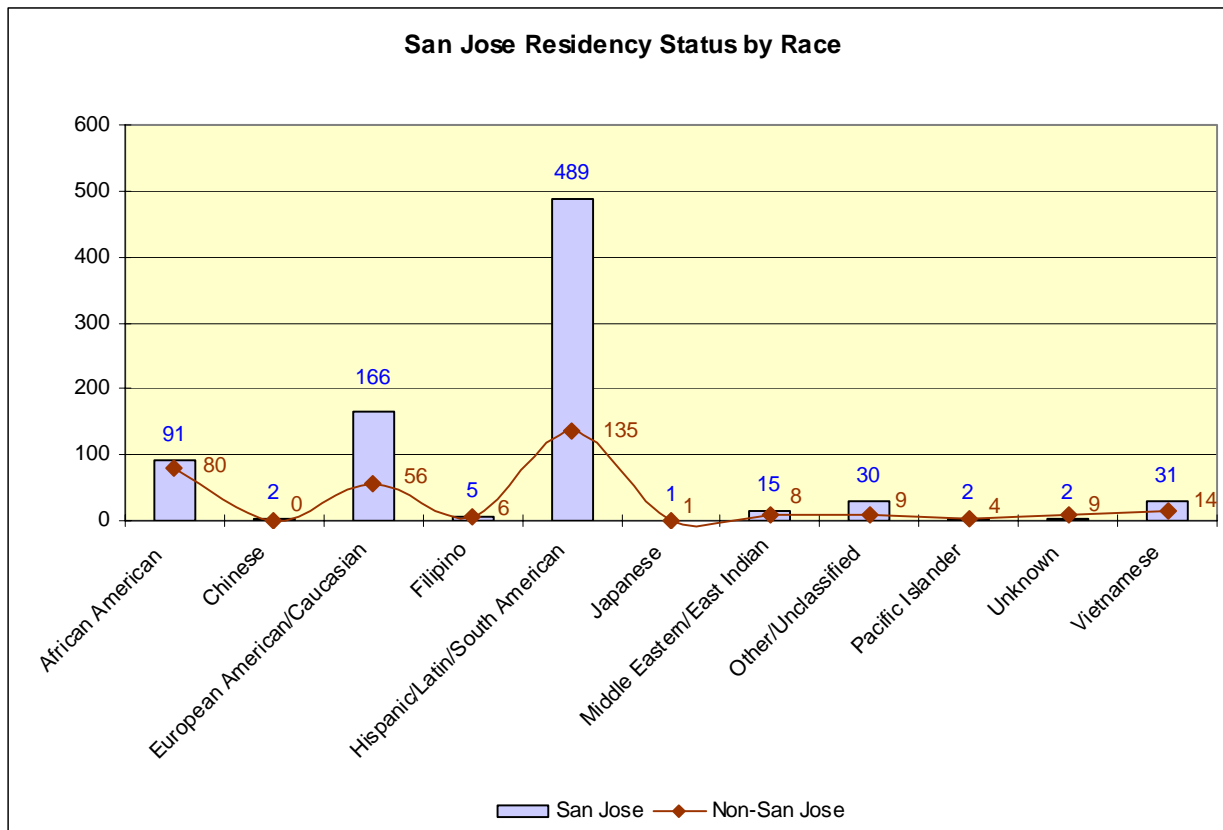
Race/Ethnicity	# of Suspects Requiring Use of Force	# of Suspects Arrested <sup>4</sup>	% of Arrests Involving Force Responses	% of Suspects Requiring Use of Force of Total Suspects Arrested
African American	171	3568	4.79%	0.48%
Chinese	2	51	3.92%	0.01%
European American/Caucasian	222	6935	3.20%	0.62%
Filipino	11	257	4.28%	0.03%
Hispanic/Latin/South American	624	19080	3.27%	1.73%
Japanese	2	13	15.38%	0.01%
Middle Eastern/East Indian	23	100	23.00%	0.06%
Other/Unclassified	39	2329	1.67%	0.11%
Pacific Islander	6	404	1.49%	0.02%
Unknown	11	2596	0.42%	0.03%
Vietnamese	45	665	6.77%	0.13%
<b>Total</b>	<b>1156</b>	<b>35998</b>	<b>3.21%</b>	<b>3.21%</b>

- 171 suspects were African American. This represents 4.79% of the total African American individuals arrested by the Department
- Two (2) suspects were Chinese. This represents 3.92% of the total Chinese individuals arrested by the Department
- 222 suspects were European American/Caucasian. This represents 3.20% of the total European American/Caucasian individuals arrested by the Department
- 11 suspects were Filipino. This represents 4.28% of the total Filipino individuals arrested by the Department
- 624 suspects were Hispanic. This represents 3.27% of the total Hispanic individuals arrested by the Department
- Two (2) suspects were Japanese. This represents 15.38% of the total Japanese individuals arrested by the Department
- 23 suspects were Middle Eastern/East Indian. This represents 23% of the total Middle Eastern/East Indian individuals arrested by the Department
- 39 suspects were Unclassified. This represents 1.67% of the total Unclassified individuals arrested by the Department
- Six (6) suspects were Pacific Islander. This represents 1.49% of the total Pacific Islander individuals arrested by the Department
- 11 suspects were Unknown. This represents 0.42% of the total Unknown individuals arrested by the Department
- 45 suspects were Vietnamese. This represents 6.77% of the total Vietnamese individuals arrested by the Department.

<sup>4</sup> Note: number of arrests and cites only include traffic violations in cases where a police report was written. Traffic cites submitted to Traffic court with no corresponding police report are not included.

**Race and City of Residence:**

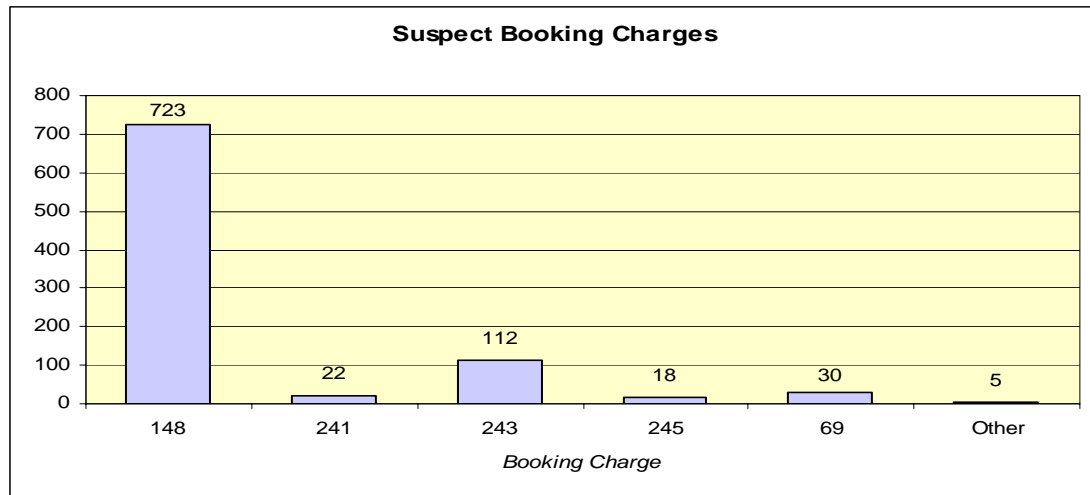
Race	San Jose	Non-San Jose	Count
African American	91	80	171
Chinese	2	0	2
European American/Caucasian	166	56	222
Filipino	5	6	11
Hispanic/Latin/South American	489	135	624
Japanese	1	1	2
Middle Eastern/East Indian	15	8	23
Other/Unclassified	30	9	39
Pacific Islander	2	4	6
Unknown	2	9	11
Vietnamese	31	14	45
<b>Total</b>	<b>834 (72.15%)</b>	<b>322 (27.85%)</b>	<b>1156</b>



**Crimes Committed Against Officers During Force Response Incidents:**

During the course of the incidents requiring force responses, 910 of the 1156 (79%) suspects who required a force response were also charged with a crime committed against the officer. The chart and table below illustrate the charges.

Booking Charge	Count
148	723
241	22
243	112
245	18
69	30
Other	5
<b>Total</b>	<b>910</b>



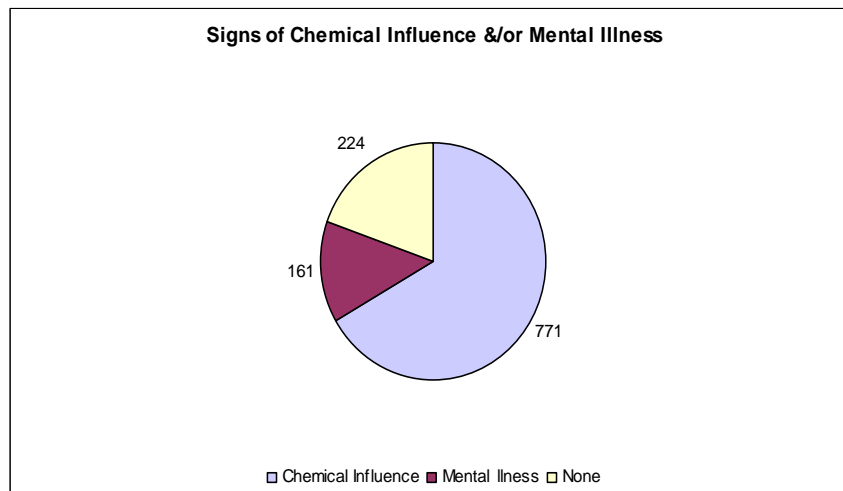
The above suspect booking charges are sections of the California Penal Code and are described as:

- 148 P.C. – Resisting arrest
- 241 P.C. – Assault on an officer
- 243 P.C. – Battery on an officer
- 245 P.C. – Assault with a deadly weapon
- 69 P.C. – Resisting or deterring officer
- Other – This section includes crimes committed against officer that do not fit in the categories listed above.

**Signs of Chemical Influence and/or Mental Illness:**

The chart and table below illustrate the minimum number of suspects because there are instances when a police officer is unable to determine signs of chemical influence and/or mental illness.

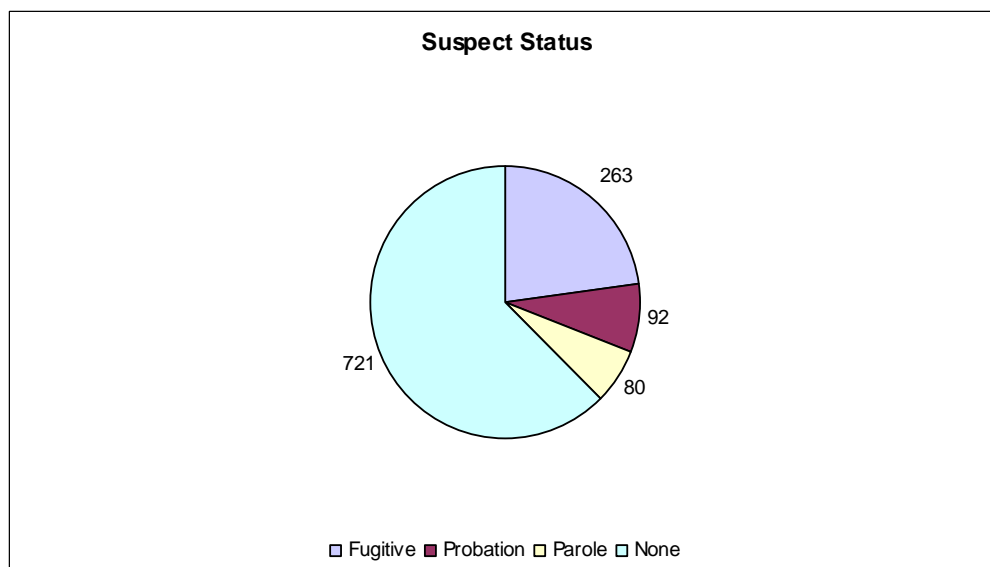
Signs Of	Count
Chemical Influence	771
Mental Illness	161
None	224
<b>Total</b>	<b>1156</b>



**Status of the Suspect:**

The table and chart below illustrate, on a minimum basis, the status of the suspect at the time of the incident, because there are instances when a police officer is unable to determine suspect status. The category of "fugitive" is used to indicate that the suspect had an outstanding warrant, felony affidavit on file, or was fleeing from an on-view arrest.

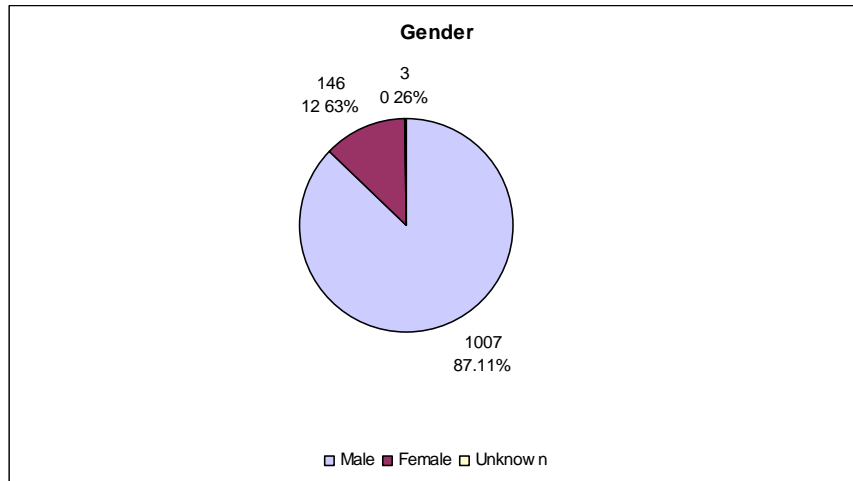
Suspect Status	Count
Fugitive	263
Probation	92
Parole	80
None	721
<b>Total</b>	<b>1156</b>



**Gender:**

The table and graph below illustrate the gender of suspects who required a force response.

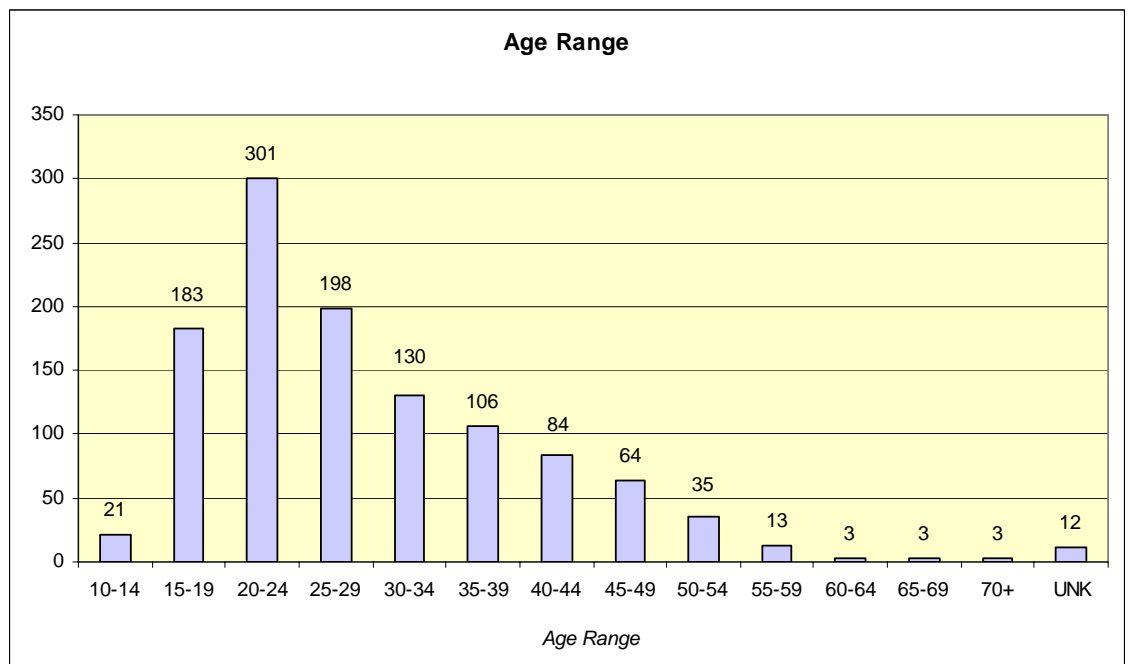
Gender	Count
Male	1007
Female	146
Unknown	3
<b>Total</b>	<b>1156</b>



**Age:**

The table and chart below describe the age of suspects who required a force response.

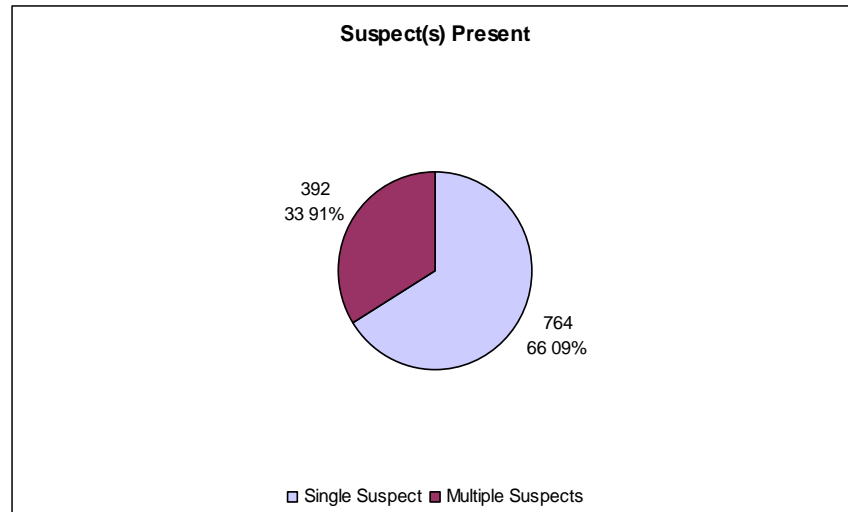
Age Range	Count
20-24	301
25-29	198
15-19	183
30-34	130
35-39	106
40-44	84
45-49	64
50-54	35
10-14	21
55-59	13
UNK	12
70+	3
65-69	3
60-64	3
<b>Total</b>	<b>1156</b>



**Suspects Present:**

The chart and table below illustrate the number of suspects present during incidents that required a force response.

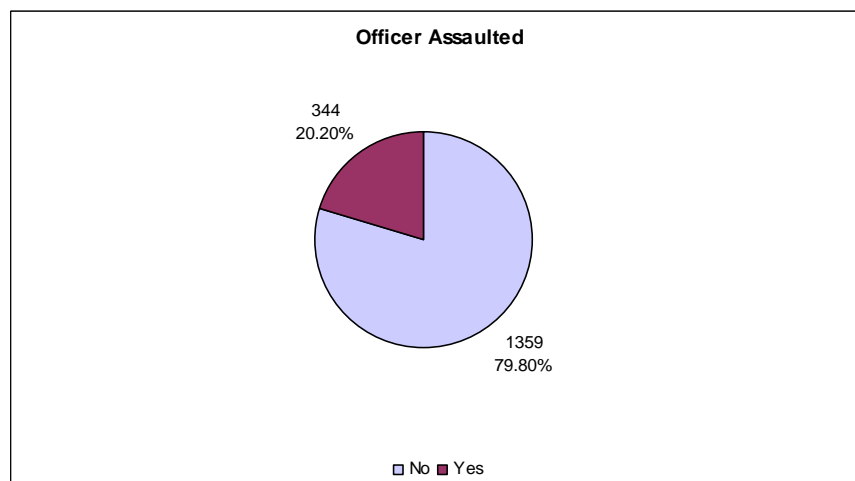
Suspect(s) Present	Count
Single Suspect	764
Multiple Suspects	392
<b>Total</b>	<b>1156</b>



**Officers Assaulted by Suspects:**

The table and graph below illustrate the number of officers assaulted by suspects.

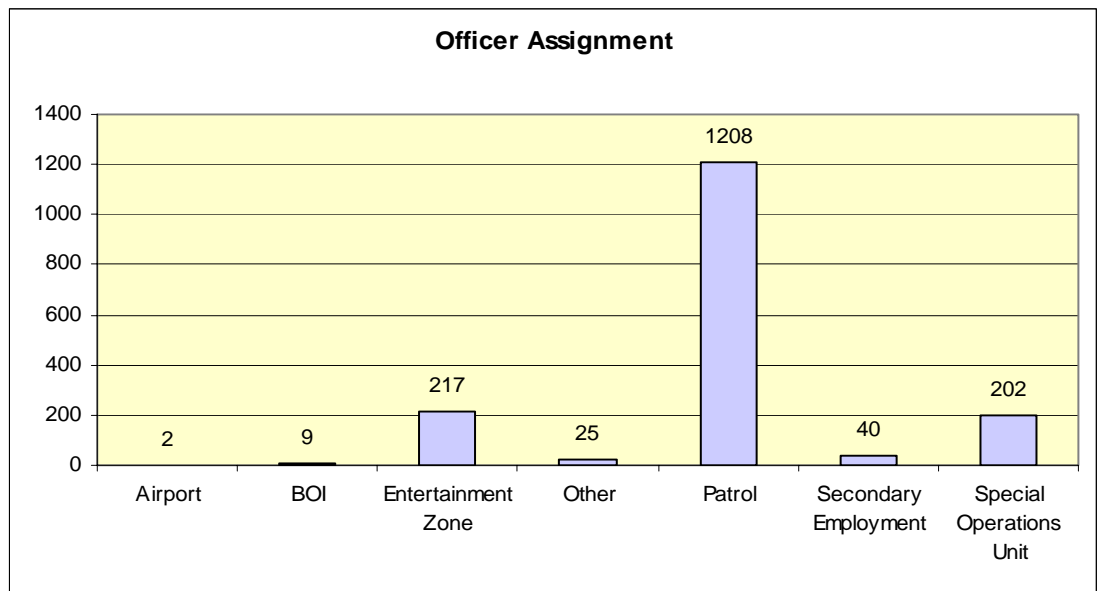
Officer Assaulted	Count
No	1359
Yes	344
<b>Total</b>	<b>1703</b>



**Officer Assignment:**

The table and graph below illustrate the officer's assignment during the incident requiring a force response.

Officer Assignment	Count
Airport	2
BOI	9
Entertainment Zone	217
Other	25
Patrol	1208
Secondary Employment	40
Special Operations Unit	202
<b>Total</b>	<b>1703</b>



## Force Options Deployed

The force options available to officers are listed in the table below. Only reportable force as described in the San Jose Police Department Duty Manual was reported. Officers may have used more than one force option during a single incident.

Force Option	Number of Applications	% of Total Force Options Applied
Control Hold	789	31.81%
Control Hold-Injury	40	1.61%
Takedown	795	32.06%
Body Weapons (e.g. hands/feet)	269	10.85%
Impact Weapon (e.g. baton)	231	9.31%
Taser Probes Deployed (darts fired)	143	5.78%
O.C. Spray	94	3.79%
Taser Drive Stun (darts not fired)	68	2.74%
Taser Probes Deployed-Missed	29	1.17%
Canine Apprehension	14	0.56%
Projectile Impact Weapon (e.g. stun bag)	6	0.24%
Legal Intervention	1	<0.0%
Carotid Restraint	1	<0.0%
Deadly Force	0	0%
<b>Total</b>	<b>2480</b>	<b>99.92%*</b>

\*All percentages are rounded to the nearest hundredth percentage and therefore may not equal 100%.

Officers have a variety of force options to select from based upon Department policies, procedures, training bulletins, experience, and individual perceptions of danger for each unique situation. Officers overwhelmingly selected the lowest level of force (hands-on force, i.e. control holds, takedowns and body weapons) in 76.3% of their encounters to control uncooperative suspects. Impact weapons and Tasers were used in 9.3% and 9.7% respectively, while OC Spray was used in 3.8% of the force incidents. Hence, the statistics tend to indicate that SJPD officers use the lowest level of force available to control the overwhelming majority of uncooperative suspects, even though it represents the highest potential for personal injury to the officer of any of the force options they might select.

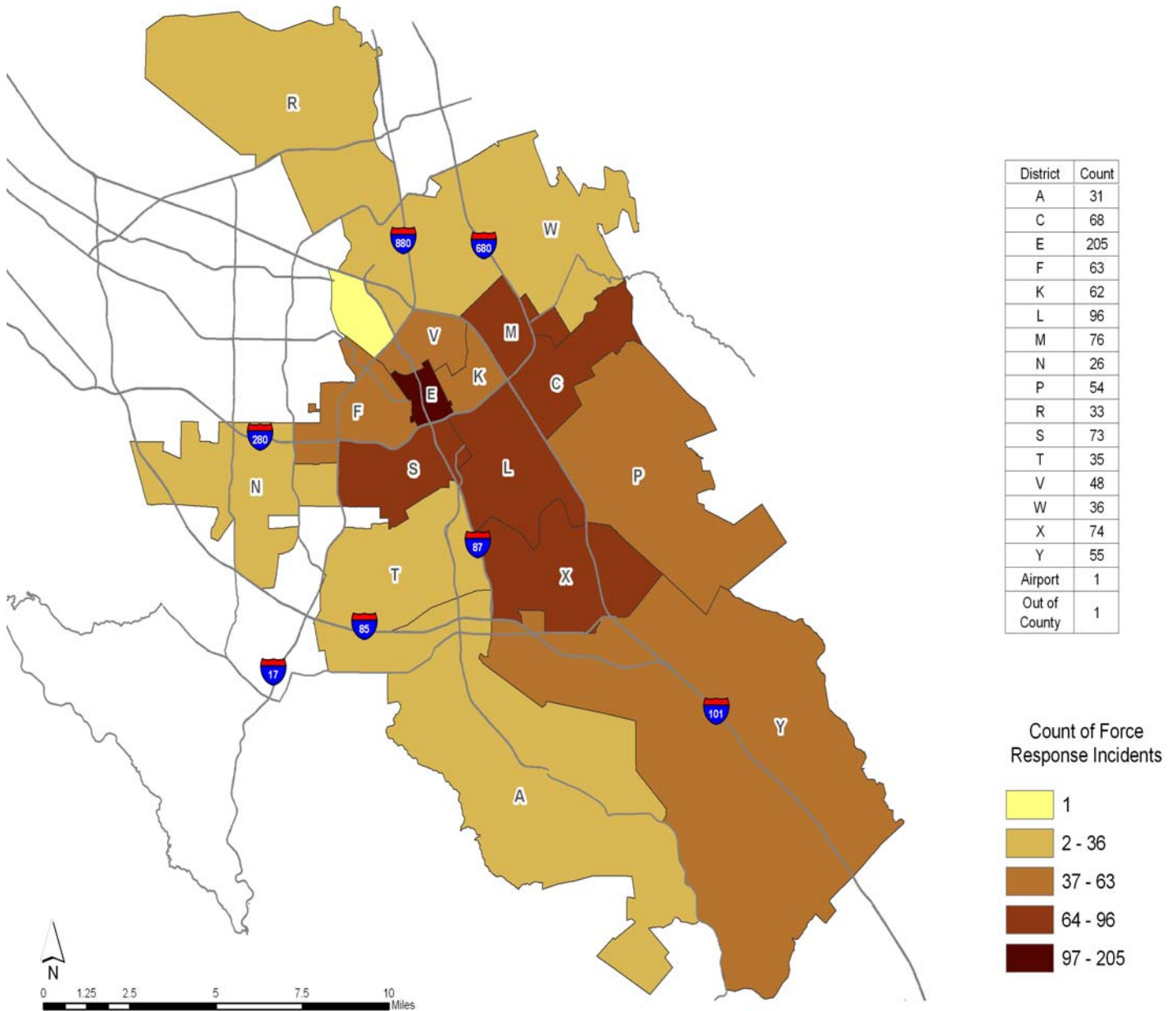
**Force Response by District:**

The San Jose Police Department divides the City into 16 police patrol districts in order to adequately deliver police service utilizing available resources. The table below illustrates the number of force responses per policing district. Please also refer to the pictorial map of the City showing the district boundaries on page 17 of this report.

District	Number of Force Responses	Percentage of All Force Responses
Adam	31	2.99%
Charles	68	6.56%
David	1	0.01%
Edward	205	19.77%
Frank	63	6.08%
King	62	5.98%
Lincoln	96	9.26%
Mary	76	7.33%
Nora	26	2.51%
Paul	54	5.21%
Robert	33	3.18%
Sam	73	7.04%
Tom	35	3.38%
Victor	48	4.63%
William	36	3.47%
X-ray	74	7.14%
Yellow	55	5.30%
Out of City	1	0.01%
<b>Total</b>	<b>1037</b>	<b>99.85%*</b>

\*All percentages are rounded to the nearest hundredth percentage and therefore may not equal 100%.

## Force Response Incidents by District

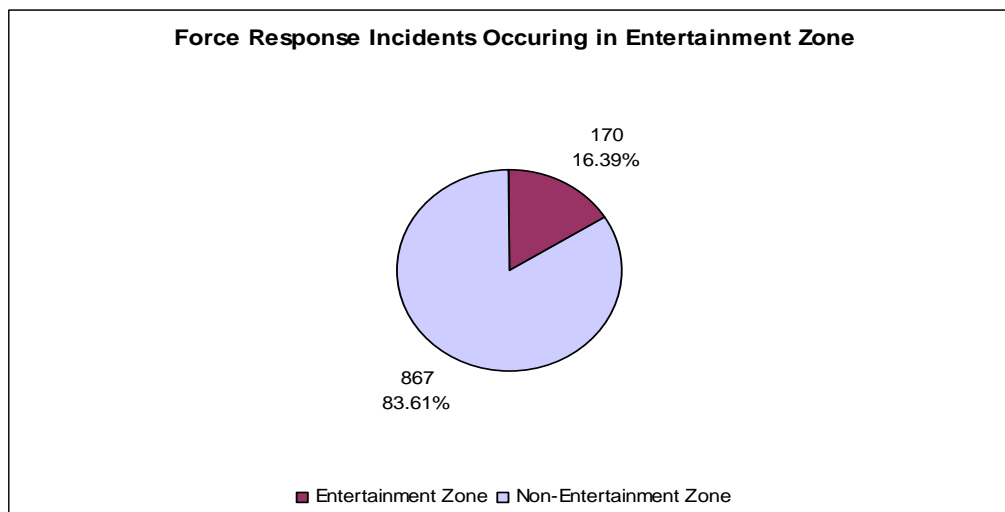


### **Entertainment Zone:**

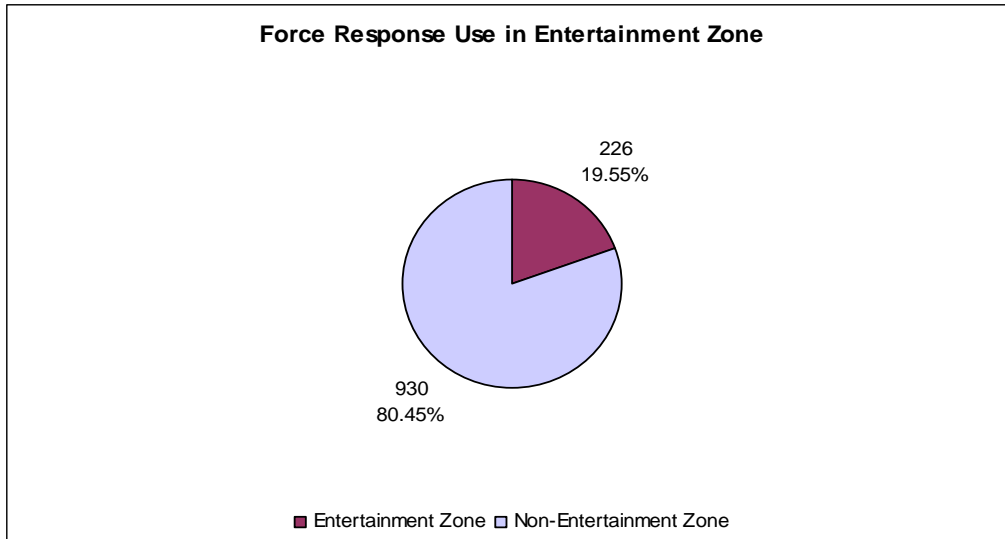
In its review, the Police Department found a higher rate of force responses in District Edward. Upon additional review, it was determined the incidents occurred in the Entertainment Zone and the Department has provided additional analysis for those incidents.

A review of the data revealed that over 19% of the events requiring a force response occurred in the smallest police district (District Edward). Further analysis of the data revealed that of the 205 incidents requiring a force response in District Edward, 170 (83%) occurred in the Entertainment Zone. Please refer to Entertainment Zone map on page 20.

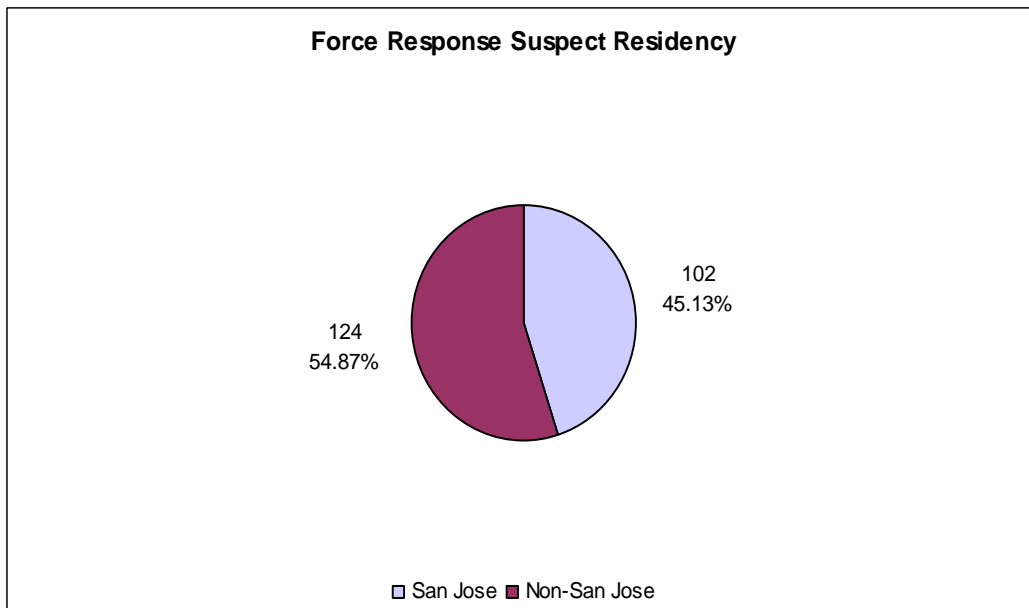
The Entertainment Zone refers to the concentration of various nightclubs in the downtown area. Of the 1037 total force response incidents, 170 occurred in Entertainment Zone. This accounts for 16.39% of all force responses in the City of San Jose. Such a high concentration of force responses in this area required further examination, as illustrated below.



Of the 1156 suspects who required a force response, 226 suspects were in the Entertainment Zone. This accounts for 19.55% of all suspects requiring a force response within the City of San Jose.



Of the 226 suspects who required a force response in the Entertainment Zone, 124 were not residents of the City of San Jose. This represents 54.87% of all suspects requiring a force response in the Entertainment Zone. This information is depicted in the graph below.



### ENTERTAINMENT ZONE

