



LOUDOUN COUNTY SHERIFF'S OFFICE

Response to Resistance Statistics

Prepared: January 2021

LOUDOUN COUNTY SHERIFF'S OFFICE Response to Resistance Statistics

DEFINITIONS

What follows is a prepared set of data compiled from supervisor administrative inquiries and administrative investigations that are entered into the BlueTeam program. For clarity in the meaning of this data, the following definitions are applied:

Response to Resistance: More historically referred to as "Use of Force."

The defensive or protective acts or tactics employed by a deputy to a) overcome an individual's resistance to the performance of a deputy's legal duty; b) protect a deputy or another person from physical resistance or acts of aggression that are likely to cause bodily harm; c) apprehend a fleeing criminal suspect if the deputy has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the deputy or others.

Excessive Force: Force is excessive when its application is unreasonable, punitive, or inappropriate to the circumstances, resulting in a divergence from the policy.

Resistance and Control: For purposes of this data set that is being provided, the response to resistance was examined from the perspectives of resistance and control; each can take the form of verbal directives or physical action. Justified responses are measured by two standards: whether a deputy's response was initiated by a subject's resistance, and whether the amount of force used by a deputy was appropriate and not excessive in relation to the type of resistance offered by a subject.

Response to Resistance Investigation/Inquiry: A non-criminal supervisory inquiry or investigation conducted to document the conduct, action, or performance of an employee and determine whether such response to resistance, behavior, activity, or performance complies with agency policy or General Orders.

The below charts and data from our records will be used in two contextual methods as follows;

- **Investigations** – a single data point represents one or multiple applications of resistance responses deployed by one or numerous deputies.
- **Response application** – a numerical representation of the amount or number of each deployment of a control method in response to resistance.

Ex: One deputy applies control of the resistant arrestee by two applications of force response; OC spray and one application of an arm-bar technique. This would be counted as one *investigation* with two *applications* of individual resistance response controls.

OVERVIEW

Based on a comprehensive review of statistical data from the Reporting Management System and the analysis of supervisory entries derived from IAPro software, the Internal Affairs Unit has made the following data points available for highlight and discussion:

Response to Resistance Investigations 2017 to 2020

- With enforcement trends maintaining or increasing, the necessity of deputies having to respond to resistance is continuing to decline dramatically.
- Deputies responded to resistance in only **1.2%** of all arrest situations in 2019. This is a decrease from **1.9%** in 2018 and even more so from **3.6%** in 2017. (Data from 2020 is potentially still incoming from drafted reports: i.e., an event that occurred December 31st.)
- Using entire-year data from 2017 through 2019, citizens offer significantly less resistance and complying during encounters illustrating a decrease of **56%** in the investigations.
- Response to resistance injuries reported by the arrestee or citizen involved in these events has decreased since 2017.
- Injuries reported by deputies have also decreased steadily since 2017.
- Non-compliant passive resisters account for the highest percentage of resisters at **43%**.
- The application of active countermeasures and the Emergency Restraint Chair (ERC) used at the Adult Detention Center, account for the most applied responses to citizen resistance.

SUMMARY CONCLUSION

Loudoun County Sheriff's Office deputies have decreased the frequency of responding to resistance. This has resulted in the decline of the likelihood the interaction will cause injury to the citizen or the deputy. Due to supervisors' higher accountability with the BlueTeam program paired and an emphasis on de-escalation training or Crisis Intervention Training, the evidence suggests a correlation with the declining trend documented in this summary report.

Response to Resistance Investigations 2017 to 2020

Deputy – Community Interaction

According to United States Census Bureau data, the population in Loudoun County is estimated to be 413,538 as of July 1, 2019. In 2019, according to the Reporting Management System, deputies responded or self-initiated to 161,885 calls for service, investigated 8,317 part 1 and 2 crimes while making 5,515 arrests and in 4,761 total case closures.

The trends show that the community interaction and the criminal investigations have remained relatively constant, with a slow decline in calls for service and a higher rate of cases being closed by arrest since 2017 to 2019 with full year data.

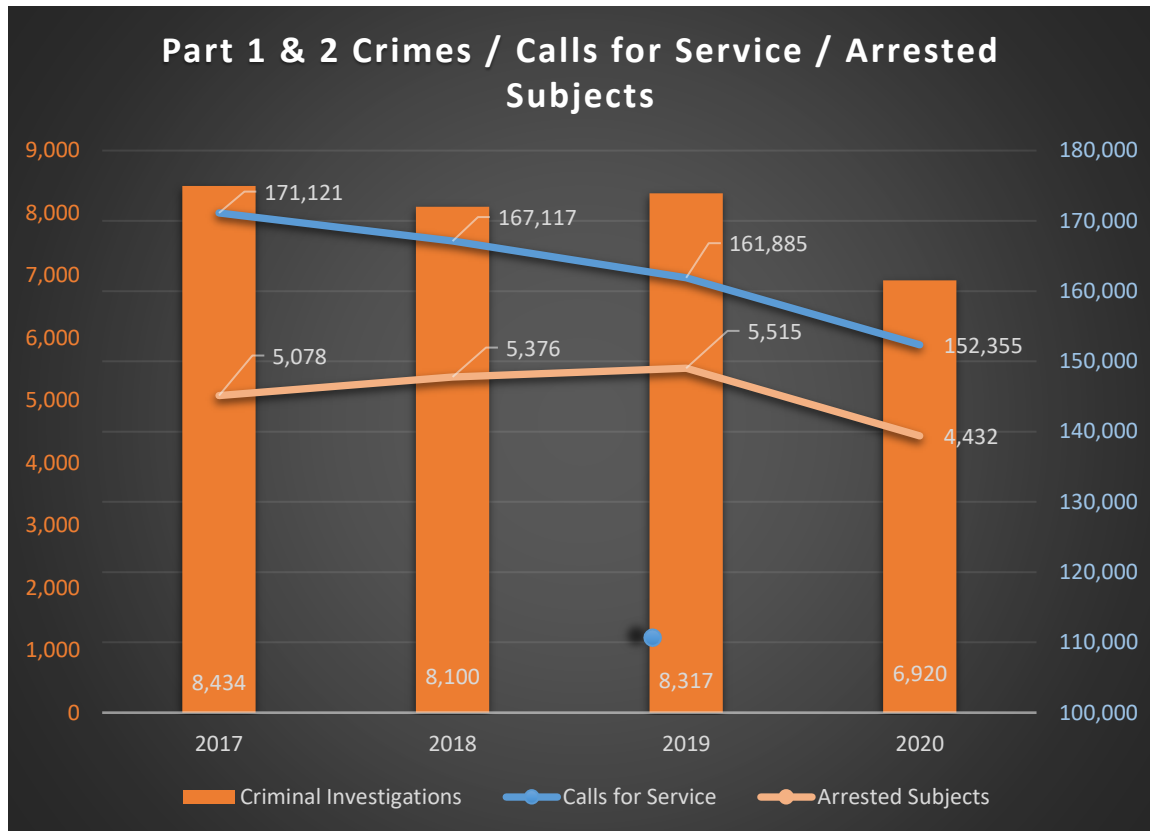
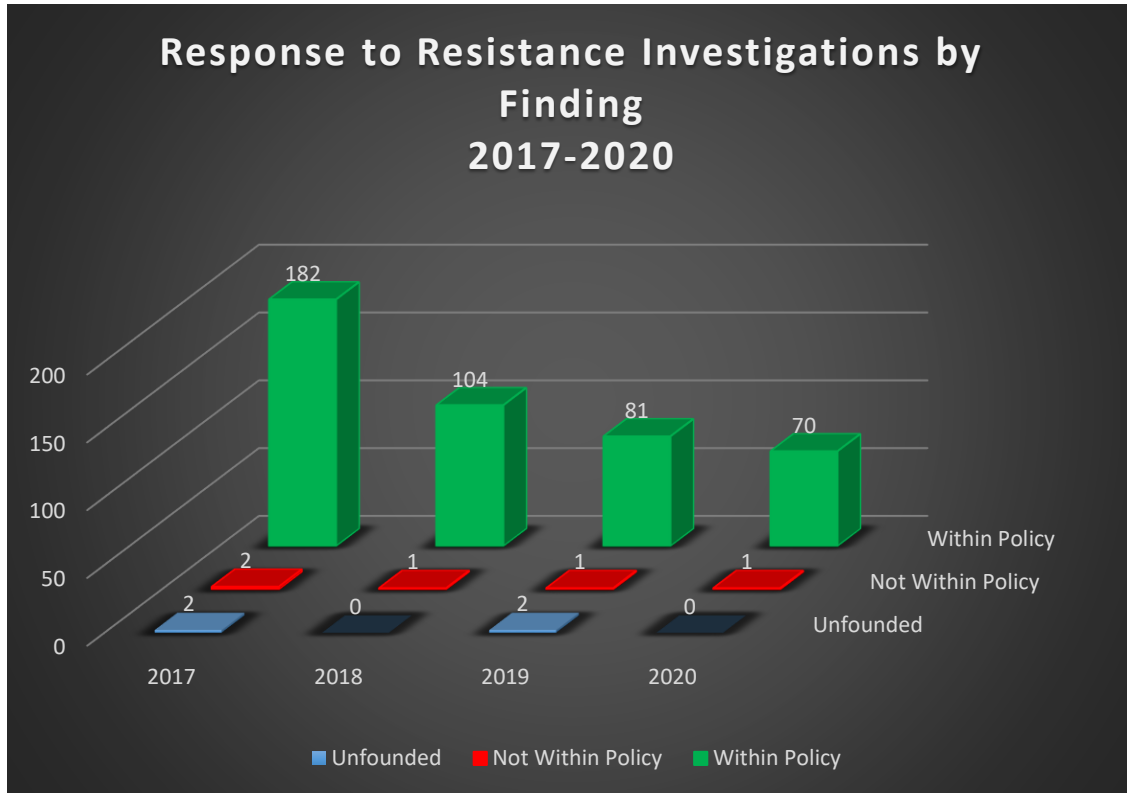


Chart Method:

- Calls for service totals reflect all police activity documented and not just dispatched calls. This is to include self-initiated calls, foot patrols, traffic stops, and consensual encounters. Note: The ADC, CID, & Court Services do not commonly mark out or document the same activity and citizen contacts as the Field Operations do, suggesting higher rates of police activity not able to be included in this table.
- Part 1 & 2 Crimes include; assault, auto theft, burglary, destruction of property, public intoxication, disorderly conduct, driving while intoxicated, homicide, larceny, peeping tom, rape, robbery, runaways, weapon violations, alcohol, and narcotic offenses.
- Arrested subjects per case entry = Cases closed as “cleared by arrest” with individual subject arrested entries –the system does not account for one arrested party linked with multiple cases or a series.
- The above information was compiled from the Reporting Management System, EnRoute Mobile, Board of Supervisor crime statistical reports, and from Premiere One data.

Response to Resistance Investigations 2017 to 2020

With a higher rate of cases being closed by arrest, the Sheriff's Office is administering significantly fewer response to resistance investigations. Even with the global COVID-19 event, the lower rate of responses to resistance are consistent with community interactions.



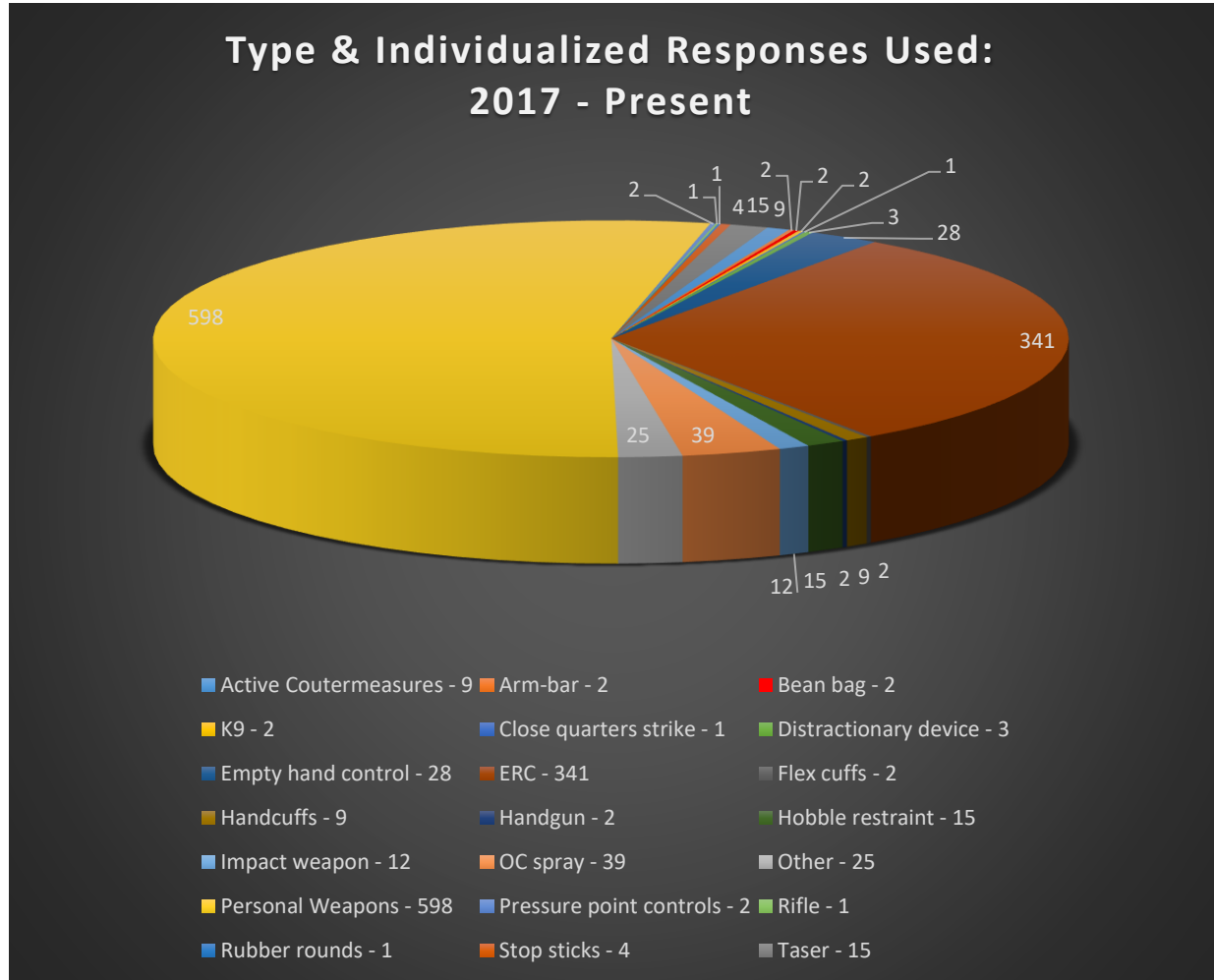
As it applies to force responses, the agency looks to self-identify events that require either additional training or corrective action.

Since 2017, there have been 1,699 administrative investigations and inquiries of which, 446 have been a response to resistance investigations. With enforcement trends maintaining or increasing, the necessity of deputies having to respond to resistance is continuing to decline dramatically during the interactions with the public.

- **The events that were found to be outside of policy represent 0.0008% of all calls for service {623,739} during this period.**
- In 2020, deputies were forced to respond to resistance in **1.6%** of all arrests and **0.03%** of all calls for service. Deputies responded to resistance in **1.2%** of all arrest situations in 2019. This is a decrease from **1.9%** in 2018 and even more so from **3.6%** in 2017.
- Using entire year data, citizens are offering significantly less resistance during encounters illustrating a decrease of **61%** in the investigations of deputies and their responses to resistance from 2017 to 2020.

Response to Resistance Investigations 2017 to 2020

Overall, this data provides for a **99%** effective, lawful, and proper response to resistance rate during arrest situations that indicates the deputies' actions remain consistent with General Orders and DCJS state-mandated training and standards.



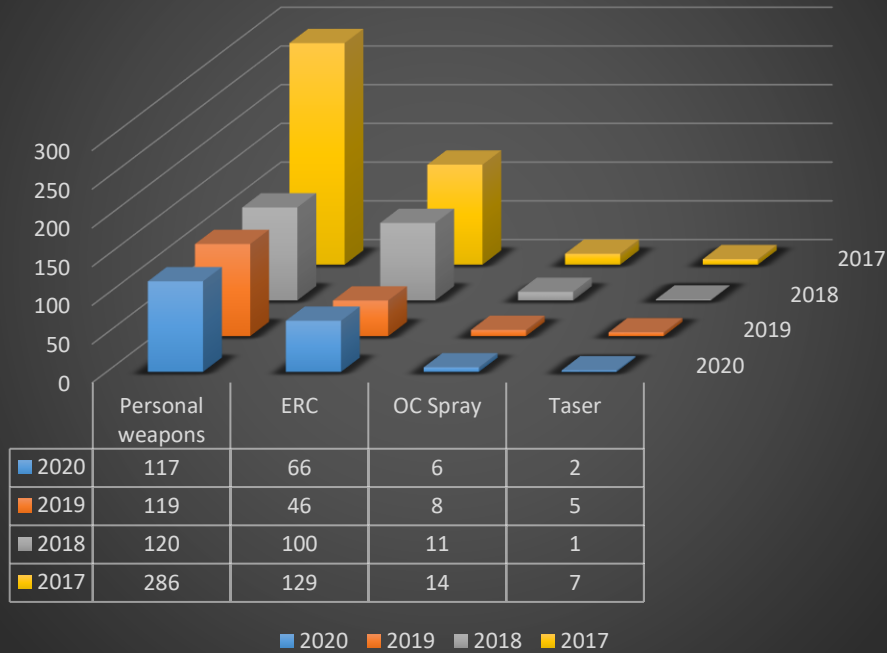
The data from IAPro has shown that the most common practiced application of response is *active countermeasures* or, as the system titles it, *personal weapons*. Active Countermeasures are empty hand techniques that include close quarters striking, grabs, takedowns, and proper arrest techniques to control a resistant/combative subject. The use of one's hands and feet as defensive weapons are also within the policy as defined further in Loudoun County Sheriff's Office General Order Section: 403.4, to gain control of a resistant subject. This term was expanded mid-year 2020 to capture more training development programs.

The emergency restraint chair was utilized, with 341 deputies assisting in using the device at the Adult Detention Center. The resulted in the second most used method of response.

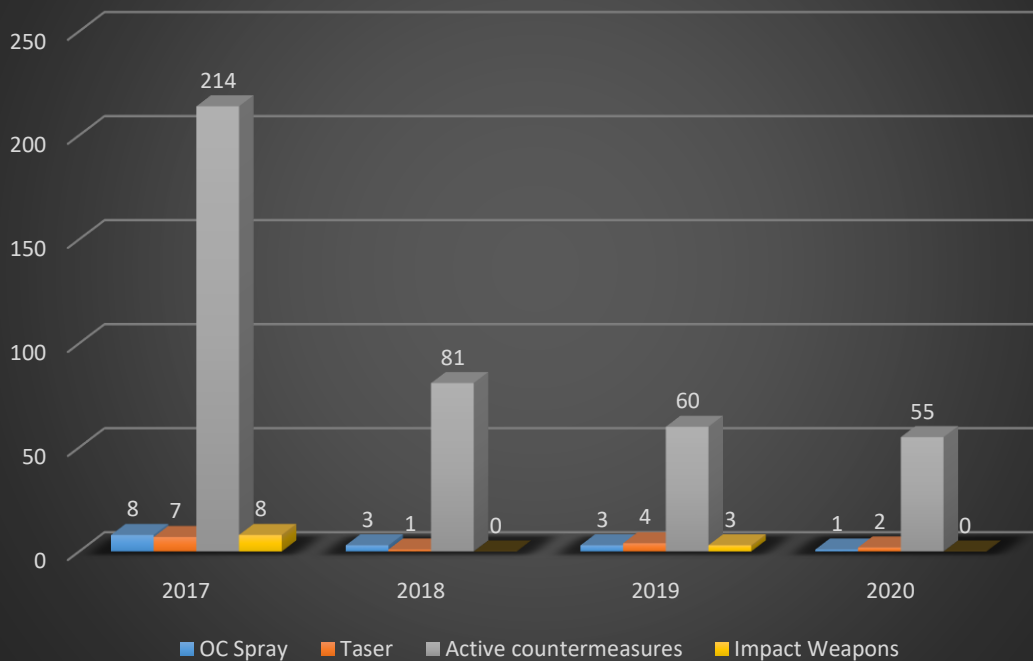
Emergency Restraint Chair (ERC): A portable chair designed to restrain a combative and self-destructive individual's body, arms, and legs safely and humanely in a seated position in a directly monitored environment.

Response to Resistance Investigations 2017 to 2020

Selected Applications of Response Trends Agency-wide

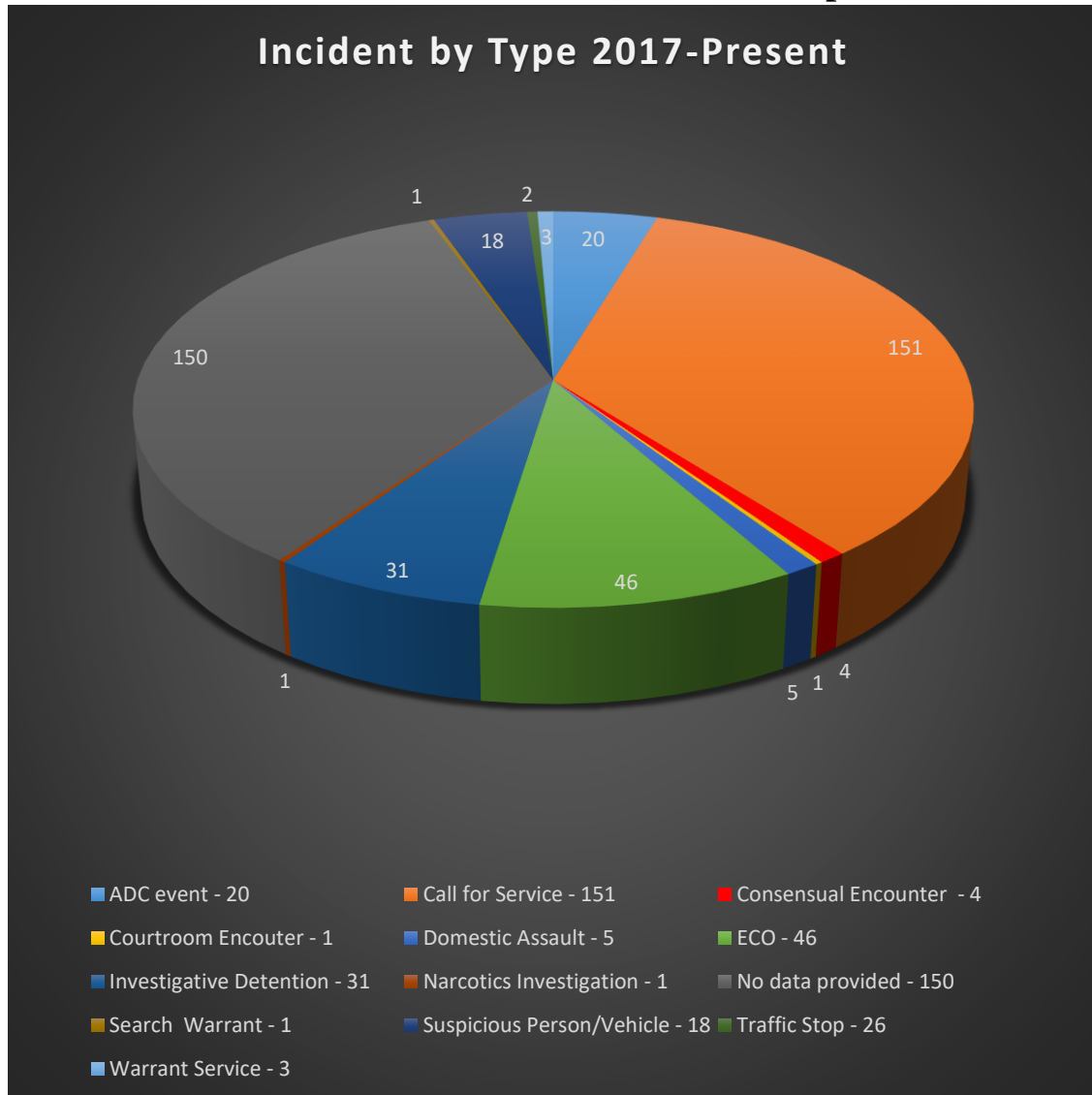


Field Operations and Operational Support Divisions by selected type



Response to Resistance Investigations 2017 to 2020

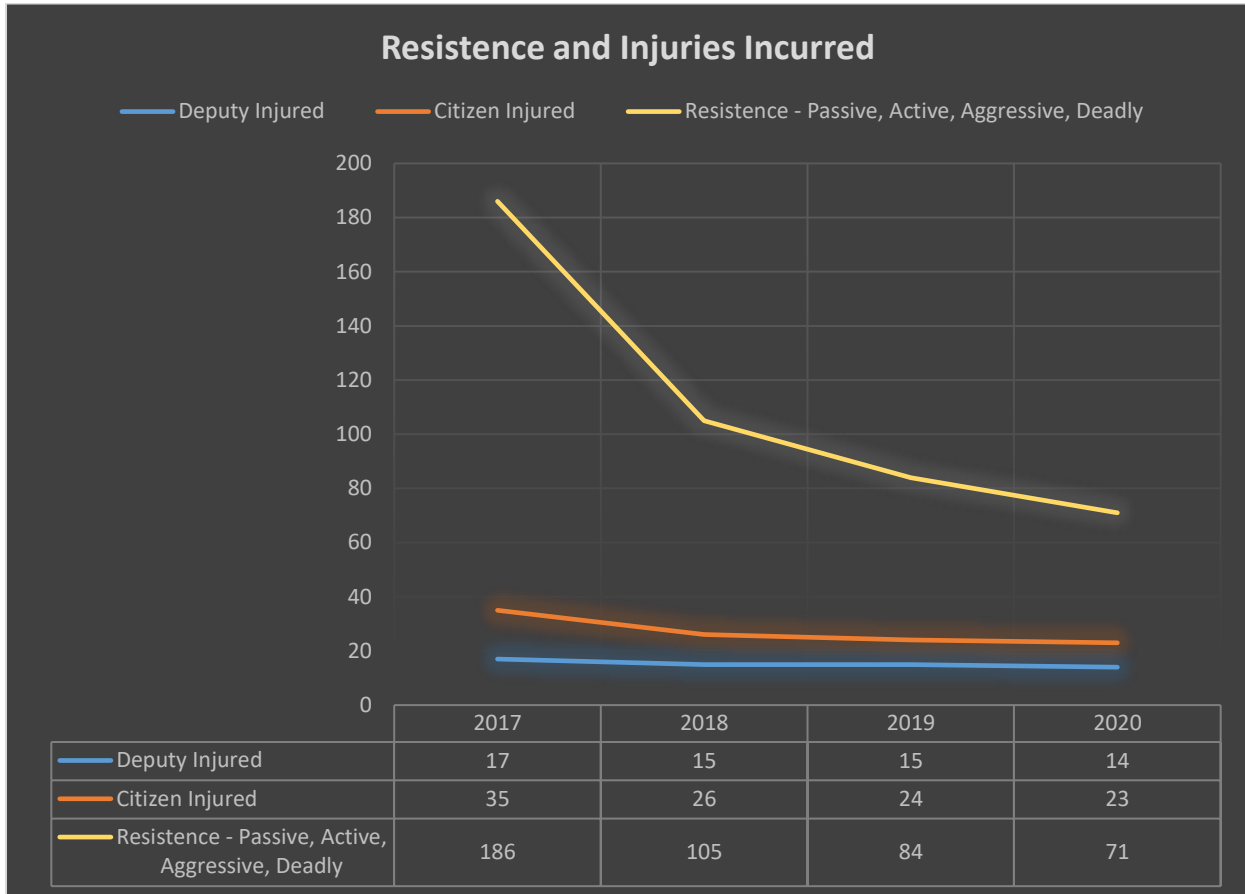
Core transactions or the events that lead to the response incident:



- Calls for service comprise the largest response to resistance incident type. The meaning of this entry may vary, and definitions are expanding with new system upgrades.
- Enacting an emergency custody order accounts for the second most likely setting for a resistance response.

Response to Resistance Investigations 2017 to 2020

Injuries and Resistance



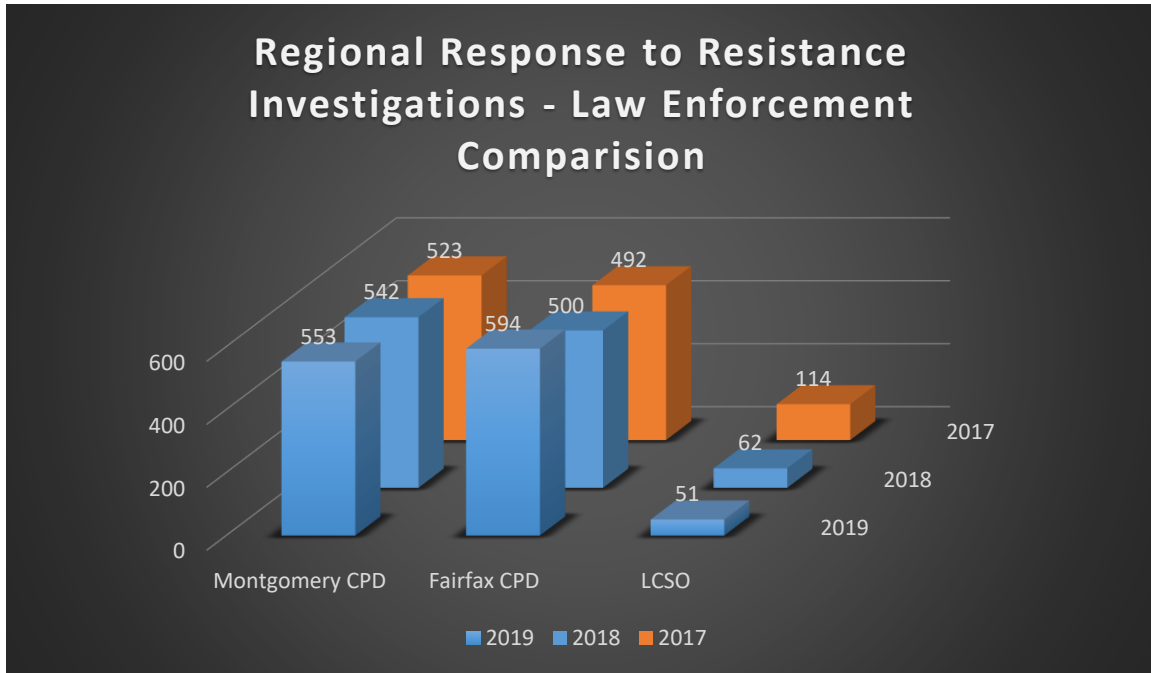
Additionally, the data is indicative of an established trend of a declining need for resistance responses being deployed by deputies. As a byproduct, there is a decline in the injuries occurring during these law enforcement encounters. Each year, there have been fewer injuries to the public and to the deputies.

In contrast, there is a suggestion by the type of resistance offered by the subject that injuries will continue to be an aspect of the nature of the encounters during more violent or volatile events. This would be supported by the slower decline of injuries against the sharp decrease in resistance responses.

However, when more deputies are listed as being present on the scene, there is a lower likelihood of higher classified resistance being offered by the suspect and a lower chance of injury from this unit's review of individual reports as a general observation.

Response to Resistance Investigations 2017 to 2020

Comparative Analysis with the Region



When compared to the ratio of a single response to resistance investigation in comparison with the 2019 population of the community it serves, we find the following;

<u>Agency</u>	<u>- 1 Investigation: Per X amount of citizens</u>
• <u>Loudoun County Sheriff's Office</u>	- 1:8,108 (51 RTR events : 413,538 Citizens = 1 : 8,108)
• <u>Fairfax County Police Department</u>	- 1:1,931 (594 : 1,147,532 = 1 : 1,931)
• <u>Montgomery County Police Department</u>	- 1:1,899 (542 : 1,050,688 = 1 : 1,899)

The ratio of investigations administered by Internal Affairs or by other supervisors in Loudoun County shows evidence that the citizens in Loudoun County are not manifesting the same conflict and resistance as they are with other County police departments in the region. Excluding partial data from 2020, the Sheriff's Office is the only agency above with a trend showing improvement with compliance, de-escalation, or tactics when dealing with citizens.

This comparison is with the LCSO Field Operations and Operational Support Divisions and the following sources:

https://issuu.com/fcpd/docs/fcpd_2019_annual_report

https://www.montgomerycountymd.gov/pol/Resources/Files/annual-reports/UseOfForce/2019%20MCPD%20Use%20of%20Force%20Report_FINAL.PDF