

Sheriff
John F. Matz

Chief Deputy
Todd A. Christopherson



Winnebago County Sheriff

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TO: Sheriff Matz and Chief Deputy Christopherson

FROM: Lt. Rice

DATE: February 28th, 2017

RE: Annual Use of Force Report – 2016

Pursuant to General Order 5.05, USE OF FORCE/ REPORTING AND REVIEW, all use of force reviews conducted for 2016 incidents in the Field Services Divisions have been reviewed. Field Services encompasses the Patrol Division, Detective Division, and Special Teams for the Sheriff's Office. A use of force review is completed for any of the following incidents:

- Reported injuries to a suspect based on use of force
- An Electronic Control Device (ECD) is pointed or discharged
- Chemical agents are utilized
- Intermediate weapons are used
- K-9 units are used as force
- Specialty impact munitions are pointed or deployed
- Vehicle pursuits and/or induce or force to stop techniques are used
- A firearm is pointed or discharged.

Reviews are conducted to ensure that a deputy's actions are consistent with Winnebago County Sheriff's Office General Orders and the State of Wisconsin Defensive and Arrest Tactics (DAAT) system.

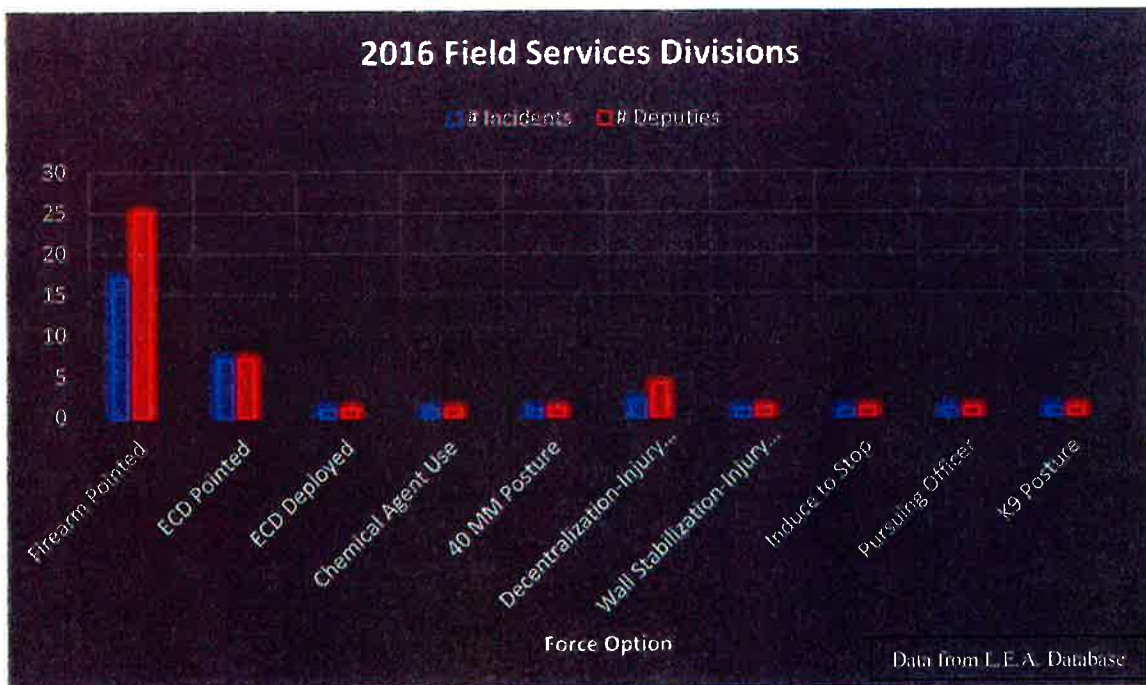
The information utilized for this report was collected from the L.E.A. Data Technologies software used to document use of force incidents for the Sheriff's Office. Individual

reviews were conducted based on submitted use of force reporting forms and the associated incident reports. 29 use of force reviews were conducted in 2016 for incidents that met the reporting criteria. This is an 81.25% increase from the 16 incidents for which a use of force review was completed in 2015. The 29 reviews in 2016 were a 20.8% increase over the 24 use of force reviews in 2014.

During 2016, deputies from the Field Services Divisions of the Sheriff's Office responded to 44,872 incidents according to the Computer Aided Dispatch (CAD) records. 29 of those incidents, or .06%, resulted in force being used.

A total of 43 deputies used force during the 29 incidents in 2016. This figure also includes actions taken by members of the multi-jurisdictional SWAT team whose primary employment is with another agency. The following charts illustrate the uses of force that required a formal review:

Force Option	# Incidents	# Deputies
Firearm Pointed	17	25
ECD Pointed	7	7
ECD Deployed	1	1
Chemical Agent Use	1	1
40 MM Posture	1	1
Decentralization-Injury Complaint	2	4
Wall Stabilization-Injury Complaint	1	1
Induce to Stop	1	1
Pursuing Officer	1	1
K9 Posture	1	1
Total	33	43



While the total number of incidents reported in the charts is 33, several incidents involved multiple deputies taking actions that, if done independently, would have necessitated a use of force review. The individual actions were documented for statistical purposes. The most common use of force for the Field Services Divisions in 2016 was pointing of firearms. 58.6% of the 29 incidents for which a review was conducted involved a firearm, or multiple firearms, being pointed at a subject or multiple subjects. 58.1% of the deputies who took an action requiring a review pointed a firearm at a person.

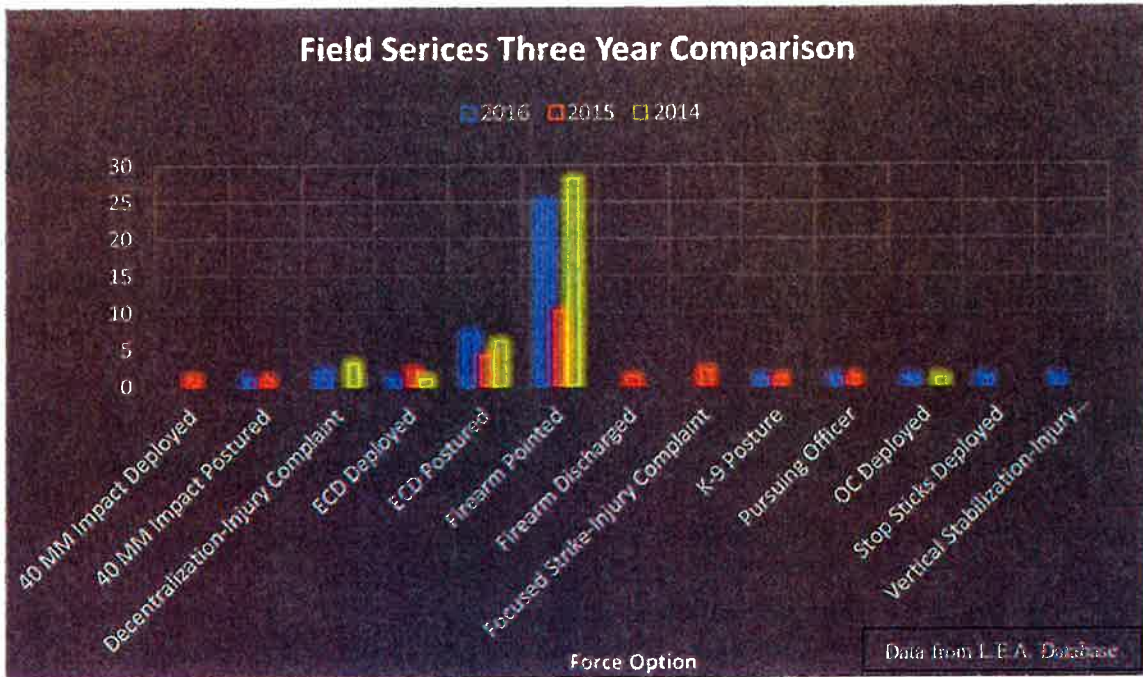
Those percentages are less significant when considered in proper context.

- 14 deputies pointed firearms at subjects as they were taken into custody for various offenses
- Six deputies pointed firearms at suicidal subjects, three pointed firearms at subjects involved in vehicle pursuits during high risk stops
- One pointed a firearm at a robbery suspect
- One pointed a firearm during a search for a suspect.

The number is inflated based on multiple deputies responding to the same situation. There were 17 incidents that resulted in deputies pointing firearms at the suspect, or multiple suspects. The threat level presented by the subject, or subjects, involved in the incidents justified the pointing of firearms. Of the 25 deputies who pointed a firearm, all actions were deemed to be justified except one. During that incident, the deputy was counseled on the desirability of pursuing a suspect inside of a residence alone. There were no concerns of improper use of force regarding the pointing of a firearm.

To further evaluate use of force for the Sheriff's Office, the following charts list all actions taken by deputies in the Field Services Divisions for the previous three years. Pointing of firearms was the most prevalent use of force option each year.

Force Option	2016	2015	2014
40 MM Impact Deployed	0	1	0
40 MM Impact Postured	1	1	0
Decentralization-Injury Complaint	2	0	3
ECD Deployed	1	2	1
ECD Postured	7	4	6
Firearm Pointed	25	10	28
Firearm Discharged	0	1	0
Focused Strike-Injury Complaint	0	2	0
K-9 Posture	1	1	0
Pursuing Officer	1	1	0
OC Deployed	1	0	1
Stop Sticks Deployed	1	0	0
Vertical Stabilization-Injury Complaint	1	0	0



Over the previous three years, pointing of firearms was consistently the most utilized use of force action for the Field Services Divisions with an average of 21 per year. The actions have all been deemed reasonable based on the specific details of the incident.

One of the 29 incidents required counseling for the deputy involved. That incident was previously mentioned during discussion on pointing of firearms. The deputy was counseled on decision making regarding pursuing a suspect into a residence without backup. The deputy was receptive to the counseling session, appearing to understand the concerns raised. There were no incidents deemed to be outside of policy or unreasonable for the year.

In conclusion, I do not feel that there are any training or equipment deficiencies, or systematic performance matters that need to be addressed. Individual performance concerns were addressed with the deputies involved. The Training Division will continue to monitor use of force incidents, utilizing them as a guide as new trainings are developed for the agency.

Respectfully Submitted,

Lt. Darin Rice