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Chief Deputy
Todd A. Christopherson



Winnebago County Sheriff

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TO: Sheriff Matz and Chief Deputy Christopherson

FROM: Lt. Eichman

DATE: January 13, 2022

RE: Annual Use of Force Report (Field Services) – 2021

Pursuant to General Order 5.05, USE OF FORCE/ REPORTING AND REVIEW, all use of force reviews conducted for 2021 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 (Oleoresin Capsicum)
- 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
- While not specified, use of force reviews are completed on any use of force deemed to necessitate further analysis

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

Since the State of Wisconsin unveiled their Use of Force and Arrest Related Death Reporting system in March 2020, the Winnebago County Sheriff's Office has submitted a Use of Force and Arrest Related report form each month as per State requirements. The State's Use of Force and Arrest Related Death program is the conduit to the FBI's National Use of Force Data Collection program. These forms are submitted via the Traffic and Criminal Software (TraCS) program.

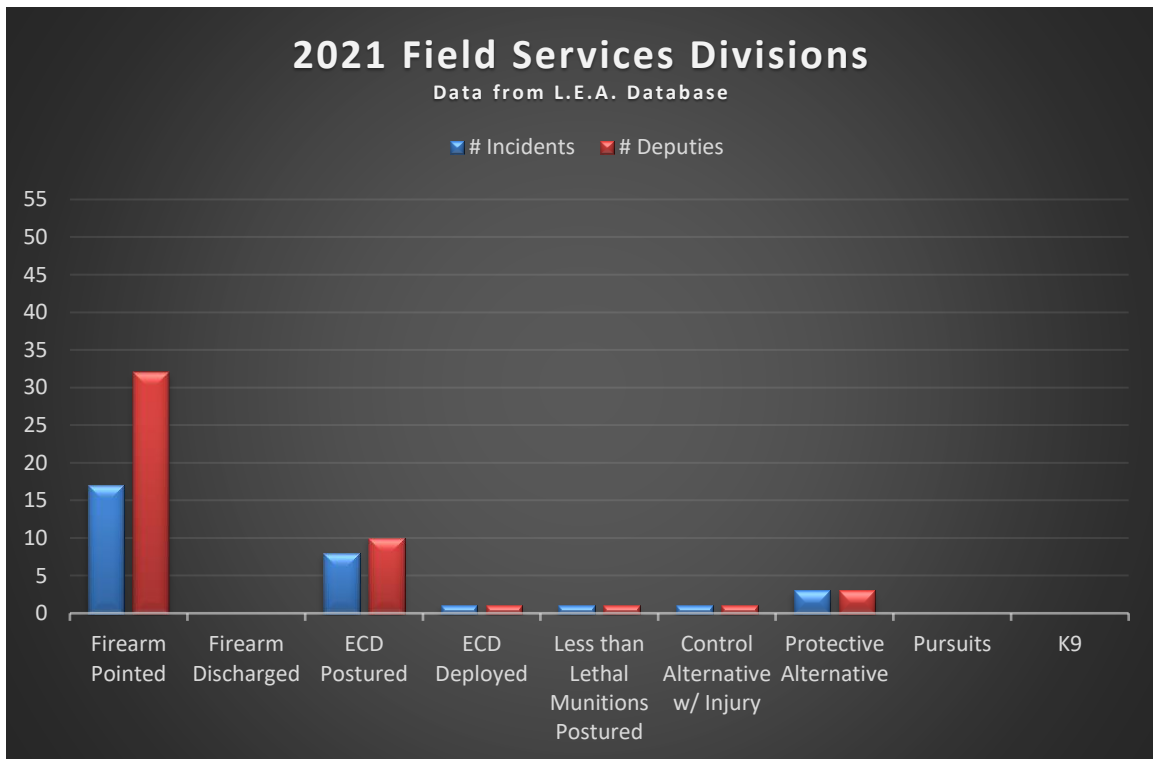
The information utilized for this annual review and analysis was collected from the L.E.A. Data Technologies software used to document use of force incidents for the Sheriff's Office. Individual reviews were conducted based on submitted use of force reporting forms as well as the associated incident reports and available squad and/or body worn camera footage. Twenty-six (26) use of force reviews were conducted in 2021 for incidents that met the reporting criteria. This is an 18% decrease from the 31 incidents for which a use of force review was completed in 2020. The 31 reviews in 2020 was a 3% decrease from the 32 use of force reviews completed in 2019.

During 2021, deputies from the Field Services Divisions of the Sheriff's Office responded to 45,662 incidents according to Computer Aided Dispatch (CAD) records. 26 of those incidents, or .057%, resulted in force being used.

A total of 48 deputies used force during these 26 incidents in 2021. The following chart illustrates the types of force utilized that required a formal review.

Note: several incidents had multiple uses of force meeting the Sheriff's Office's General Order regarding use of force review. As such, the numbers below are higher than the total 26 use of force incidents noted above:

Force Option	# Incidents	# Deputies
Firearm Pointed	17	32
Firearm Discharged	0	0
ECD Postured	8	10
ECD Deployed	1	1
Less than Lethal Projectile Postured	1	1
Protective Alternative	3	3
Control Alternative with injury	1	1
Pursuit	0	0
K9 Posture	0	0
Total	31	48



Pointing of firearms was the most common use of force used by Field Services Deputies in 2021. 55% of the 31-total uses of force for which a review was conducted involved a firearm, or multiple firearms, being pointed at a subject or subjects.

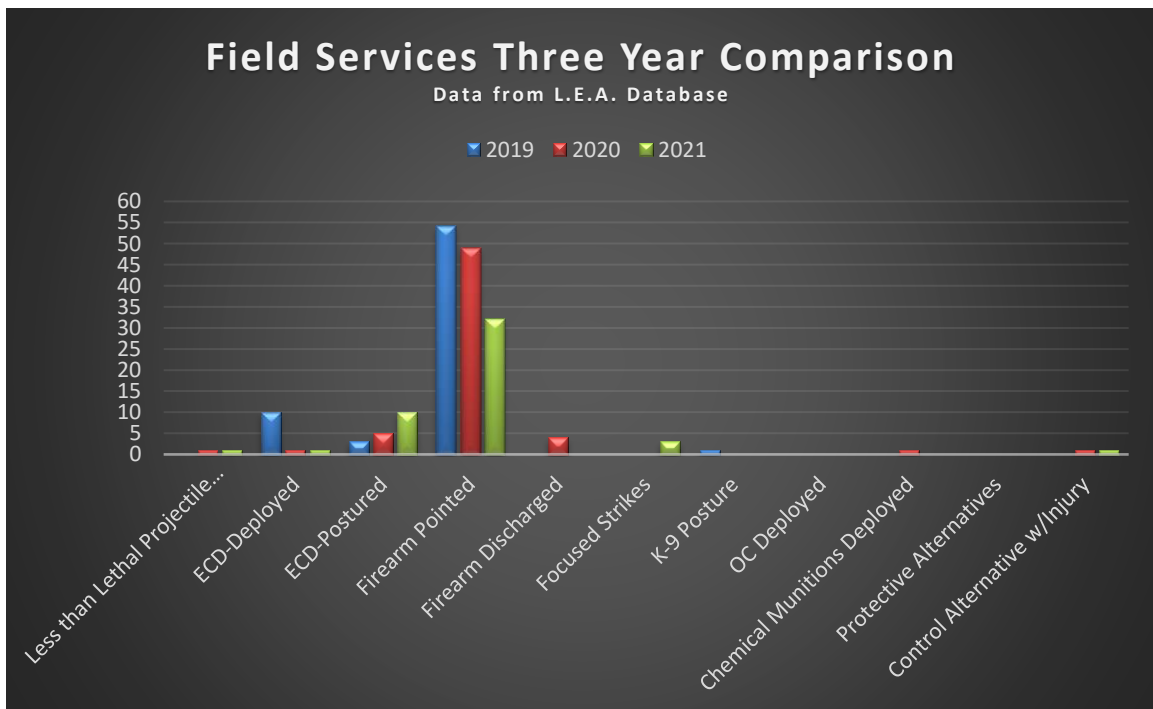
That percentage becomes clearer when considered in proper context.

- 3 deputies pointed firearms at subjects during a subject search
- 15 deputies pointed firearms at subjects involved in high risk traffic stops
- 10 deputies pointed firearms at a subject involved in a weapons complaint
- 1 deputy pointed a firearm at a subject involved in a SWAT incident
- 3 deputies pointed firearms at a barricaded subject

The number is inflated based on multiple deputies responding to the same incident. 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 17 reviews completed for incidents in which deputies pointed a firearm, all were deemed objectively reasonable.

To further evaluate use of force for the Sheriff's Office, the following chart lists all actions taken by deputies for the previous three years. The most prevalent use of force option is the pointing of firearms each year.

Force Option	2019 Field Services	2020 Field Services	2021 Field Services
ECD-Deployed	10	1	1
ECD-Postured	3	5	10
Firearm Pointed	54	49	32
Firearm Discharged	0	4	0
Less than Lethal Projectile-Postured	0	1	1
Protective Alternatives	0	0	3
Control Alternatives w/injury	-	-	1
K-9 Posture	1	0	0
OC-Deployed	0	0	0
Chemical Munitions Deployed	0	1	0
Pursuit	0	0	0
Total	68	61	48



Over the previous three years, pointing of firearms was the most common and consistent use of force action for the Field Services Divisions, with an average of 45 deputies pointing firearms per year. Incidents of multiple deputies pointing their firearms at subjects during the course of their duties remained relatively consistent with some variances between 2021 and 2020. The following numbers show the differences for 2021 and 2020 of multiple deputies pointing their firearms: 15 to 15 during high-risk traffic stops, 3 to 9 during searches for subjects, 10 to 3 during disturbances and incidents where weapons were involved or were believed to be involved.

Deputies utilizing an Electronic Control Device (ECD), whether an ECD posture or deployment, continues to be the second most consistent use of force over the previous three years. All use of force applications involving an ECD in 2021 were deemed objectively reasonable based on the specific details of each incident.

All use of force reviews completed in 2021 for the Field Services Divisions were found to be in compliance with agency policy and consistent with established best practices. In conclusion, I do not feel there are any specific training or equipment deficiencies, or systematic performance matters that need to be addressed. The Training Division will continue to monitor use of force incidents utilizing them as a guide for the development of new trainings for the agency.

Respectfully Submitted,

Lt. Tim Eichman