

Date: April 5, 2021
To: Acting Chief Mike Villa
From: Sergeant Kyle Yoshimura
Subject: 2020 Annual Use of Force Review

The Department has completed its annual Use of Force Review for 2020.

This review analyzes incidents where department members responded to overcome resistance with reportable force and is also intended to identify any trends or patterns, employee development needs, and or equipment issues that may need to be addressed as well as determining if any modifications to our current policies and procedures should be recommended.

The table shown below provides a quick reference to the types of force used during the force events in each of the previous four years, inclusive of calendar year 2020.

Reportable Force Events Table

	2017	2018	2019	2020
Reportable Force Events	29	33	30	32
Takedowns	16	22	24	16
TASER	3	2	2	1
Strikes	3	1	3	1
Vascular Neck Restraint	0	2	7	3
Pointed Firearm	4	4	1	1
40MM Impact Munitions	0	0	0	4
OC Spray	1	0	0	10
CS Gas	0	0	0	2
Impact Weapon	0	0	0	0
Leg Restraints	8	2	5	0
Gun Fire	1	0	0	0
Other Physical Control	0	1	0	0
Citizen Complaints from Force Used	0	0	0	0

The reportable force events referenced here may have required multiple techniques be applied by the involved officers. For this reason, the total sum of the number of actual techniques listed as being used by our officers may be higher than the overall number of reportable force events.

DATA REVIEW

Upon researching the collected data relating to our department's events involving the application of reportable force in 2020, the following should be noted:

- During the 2020 calendar year, our department experienced 32 reported use of force events.
- Of those 32 reported force events, 12 events were in response to assisting the Seattle Police Department and the Tukwila Police Department in May during demonstrations that turned into riots.
- There was one additional force event where our officers assigned to Valley SWAT responded for a barricaded domestic violence subject in the City of Des Moines.
- By separating the mutual aid events from the total reportable force events, the department experienced 19 use of force events related specifically to police responses at or around Port of Seattle owned properties.
- Within those 19 reported events, there were 16 incidents in which officers utilized a takedown, and one instance for each use of a TASER, strikes, and where a firearm was pointed.
- There were three instances where a vascular neck restraint (VNR) was used; however, in June 2020, the technique was removed from department policy.
- No reportable use of force events involved gun fire, the use of an impact weapon (e.g., baton, flashlight, straight stick), leg restraints, or other physical control holds such as pinning.
- All uses of 40mm impact munitions, OC spray, and CS gas occurred during mutual aid requests for SWAT and the Crowd Management Unit (CMU).
- Of all 32 reported force events, there were seven subjects reporting injuries and 8 officers reporting injuries.
- Force was used on 19 males, 1 female, and 12 subjects were categorized as unknown because they fled apprehension.
- Force was used on 10 White subjects, 9 Black or African American subjects, and 12 subjects were categorized as unknown because they fled apprehension.
- 13 out of 32 events were in response to mutual aid requests and occurred over a long period of time. 11 of 19 events occurred during nightshift, while the remaining 8 occurred during dayshift.
- There were no citizen complaints with regards to any of the reportable use of force events.
- As of this review, the Office of Professional Accountability has not been notified by Port Legal of any claims or lawsuits resulting from any use of force events occurring in 2020.

ANALYSIS HIGHLIGHTS

- The majority of use of force events were the use of takedowns; these types of techniques provide an advantage to the officers when attempting to control a subject resisting detention or arrest and minimizes injuries when done in accordance with training and policy.
- The incident where an officer pointed his firearm occurred during an in-progress burglary at a Seaport property. The subject got into a physical altercation with the business manager and the two were still fighting on the ground when the officer arrived. The officer pointed his firearm and ordered the subject to stop and surrender.
- During each of the VNR incidents, the subject was neither rendered unconscious nor reported any injuries from its use. Unlike other force options, this technique required mandatory medical treatment per department policy regardless of complaint of injury or not.
- During the TASER related incident, officers responded to one of the checkpoints at the airport where the subject was removing the passenger lane stanchions and throwing them around. Despite the use of the TASER, the subject was still combative requiring the officers to utilize multiple force options to include strikes and a VNR application.
- Injuries from the 32 reportable use of force events for 2020 resulted in the following:
 - UOF20-001 – Subject had minor scrapes above eye when taken to the ground; the officer suffered minor strain.
 - UOF20-005 – Officer was grabbed on the arm and scratched by subject during arrest.
 - UOF20-007 – Subject had minor scratches on face when taken to ground; the officer from UOF20-005 reinjured the same scratch on his arm.
 - UOF20-013 – CMU officer suffered momentary hearing loss and ear pain after mortar was thrown at him during the Seattle riots.
 - UOF20-021 – CMU officer had OC spray implode on his groin area after a subject attempted to disarm him.
 - UOF20-024 – Multiple officers attempted to detain a driver while investigating a possible stolen vehicle. The subject refused to comply and exit the vehicle. The subject was extracted from the vehicle and detained. The subject complained of shoulder pain and requested to be transported to the hospital.
 - UOF20-025 – Multiple officers were injured during an onboard aircraft incident and suffered scratches and soft tissue pain while struggling to control the subject. The subject was overheating and sweating profusely prompting the officers to summons aid for treatment of possible delirium.

- UOF20-027 – The subject had minor scratches when taken to the ground after attempting to run into oncoming traffic and assaulting the officers. The officers also received minor scratches from the takedown.
 - UOF20-28 – The subject struck his head on a seat after officers took him down to the ground. Both officers suffered minor bruising and discomfort from the takedown, while one of the officers also suffered cuts to his arm after the subject dug his nails into the officer’s arm.
 - UOF20-30 – Barricaded subject was shot by SWAT officers with a 40mm impact munition in the thigh when he attempted to force entry into another innocent person’s apartment. The subject suffered soft tissue pain and bruising.
 - UOF20-032 – During a search incident to arrest, an officer was kicked in the leg by the arrested subject and suffered leg pain and bruising.
- The following are the outcomes of the 32 reportable force events:
 - 17 subjects were arrested
 - 11 subjects fled apprehension
 - 1 subject was transported for an involuntary commitment
 - 1 subject was sent to the hospital for a shoulder injury
 - 1 subject was referred to another agency for arrest
 - 1 subject was released from arrest after supervisor review
 - Of all 32 reported force events, only four subjects were identified as having official business (e.g., passenger, ticketed passenger, employee, guest of passenger). All other subjects either fled apprehension or were at the airport for reasons other than travel.

COMPARISONS

In comparison to the previous three years, 2020 would seem relatively consistent with 32 reportable force events. However, only 19 of all reported force events were related to police activity at or around Port of Seattle owned properties. This 37% reduction in incidents where force was used should directly be correlated to the 59% decrease in passengers traveling through SeaTac Airport¹. With few passengers traveling, there were fewer people in the airport and subsequently less police field contacts².

¹ Port of Seattle. (2021, March). *Fact Sheets: Seattle-Tacoma International Airport*. Retrieved from Port of Seattle Web Site: <https://www.portseattle.org/newsroom/fact-sheets>

² Yoshimura, K. (2021). *2020 Annual Bias Policing Review*. Seattle: Port of Seattle .

Because of events that occurred in 2020, our department saw an increase of 1,200% in reportable use of force events initiated by CMU and SWAT during emergency callouts and responses for mutual aid to the cities of Seattle, Tukwila, and Des Moines. It should be obvious that these types of encounters are not typical for our department or normal for our working environment. For these reasons, these 13 additional force events should be considered somewhat of an anomaly.

Takedowns continue to be the majority of all use of force events given its effectiveness at controlling a subject, allowing for officers to transition to other techniques and or force options, and minimizing injury. TASER use continues to be limited to 1-2 events per year, while OC is typically never used because of our enclosed airport environment.

The department implemented the use of vascular neck restraints in 2018 and documented five reported injuries to subjects where the technique was used in each subsequent year. However, in 2020 the VNR was removed from our policy and the department documented seven reported injuries to subjects. The authorization and use of the VNR at our department was too short to accurately determine whether or not its use truly contributed to the reduction of injuries to subjects where force was necessary to overcome resistance.

RECOMMENDATIONS

Overall, our department continues to have very few reportable force events. In 2020, the department initiated 8,334 person-to-person contacts that resulted in 19 use of force events. Therefore, less than 0.05% of all in-person POSPD contacts resulted in the use of force. When looking at the 448 arrests our department members made in 2020, approximately 1% of those arrests resulted in any force being used.

With the removal of VNR from our policy, I would recommend the department review other less lethal options in addition to the TASER, and optional OC spray and or impact weapon, to carry while in a uniformed patrol position in an effort to keep our reported force events and injuries at these consistently low levels.

Out of an abundance of caution due to the COVID-19 pandemic, the department eliminated all forms of control tactics training for at least nine months out of the year in 2020. Because physical control tactics require regular practice and consists of highly perishable psychomotor skills, I would urge the department to allow department members to return to one-on-one or small group training sessions in accordance with CDC and Health & Safety guideline.