

**Date:** April 5, 2022  
**To:** Interim Chief Mike Villa   
**From:** OPA Sergeant Kyle Yoshimura  
**Subject:** 2021 Annual Use of Force Review

The Department has completed its annual Use of Force Review for 2021.

This review analyzes events where department members responded to a call and were required to overcome a subject’s resistance with reportable force. It is also intended to identify any trends or patterns, employee development needs, and 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 2021.

### Reportable Force Events Table

	2018	2019	2020	2021
<b>Reportable Force Events</b>	<b>33</b>	<b>30</b>	<b>32</b>	<b>34</b>
Takedowns	22	24	16	30
TASER	2	2	1	7
Strikes	1	3	1	1
Vascular Neck Restraint	2	7	3	BANNED
Pointed Firearm	4	1	1	0
40mm Impact Munitions	0	0	4	2
OC Spray	0	0	10	0
CS Gas	0	0	2	0
Impact Weapon	0	0	0	0
Leg Restraints	2	5	0	7
Gun Fire	0	0	0	0
Other Physical Control (e.g., pinning, joint manipulation)	1	0	0	11
Citizen Complaints from Force Used	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

*The Reportable Force Events referenced here may have required multiple techniques to 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 2021, the following should be noted:

- During the 2021 calendar year, our department experienced 34 reported use of force events and a total of 59 separate uses of force.
- 29 use of force events occurred at the airport, while 5 events occurred within the boundaries of the Seaport Division.
- There were 16 events where multiple force techniques (combining one technique with another) were required to control a non-compliant subject.
- The most frequent type of force used was bringing a subject down to the ground with a takedown technique.
- There were 11 events where a non-compliant subject needed to be physically restrained to overcome their resistance to being handcuffed.
- There were seven TASER force events, 2 were effective deployments, one was used as a display of force only, and 4 were ineffective deployments.
- Leg restraints were required during 7 force events following handcuffing as an additional control measure.
- There was one event where a 40mm impact munition was used to prevent an armed subject in crisis from assaulting innocent people and other law enforcement officers. The other law enforcement agency used lethal force.
- There was a second event where a 40mm impact munition was used to prevent an armed subject in crisis from assaulting officers; however, the deployment was ineffective.
- No reportable use of force events involved the use of a firearm, impact weapon (e.g., baton, flashlight, straight stick) or chemical weapon (e.g., OC, CS).
- Of all 34 reported force events, there were 2 subjects with reported injuries from force being used and 20 officers reporting injuries. None of the injuries required hospitalization.
- Force was used on 34 males; 12 were identified as white, 12 were black, 5 were Asian/Pacific Islander, 3 were Hispanic, and 2 were categorized as unknown.
- Force was used on 3 females; 1 was identified as white, 1 was Asian/Pacific Islander, and 1 was categorized as unknown.
- There were 19 use of force events that occurred during nightshift and 15 events that occurred during dayshift.
- There were no citizen complaints specific 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 2021.

## **ANALYSIS HIGHLIGHTS**

- There were 30 instances where a takedown was used, making it the preferred force technique because it provides an advantage to our officers when attempting to control a subject resisting arrest and minimizes injuries when done in accordance with training and policy.
- There were 4 ineffective TASER deployments; the first two ineffective deployments (UOF21-006) were initiated by the same officer on a heavily clothed subject. Upon arrest, it was determined that none of the probes penetrated the subject's skin. The second two ineffective deployments (UOF21-010) were from the same incident on one subject. One officer deployed a 40MM impact round that had no effect and immediately followed up with a TASER deployment as the subject continued to advance. A second officer observed the ineffective deployments by the first officer and deployed their TASER. After the first cartridge was ineffective on the subject, the officer deployed a second cartridge that had the desired effect.
- During one of the ineffective 40mm deployments, officers were working in collaboration with the Seattle Police Department to detain a subject in crisis. To deescalate the situation, our officers utilized a 40mm impact munition to prevent an armed subject from fleeing and injuring innocent people. Almost immediately following our deployment of the 40mm impact munition, officers from the Seattle Police Department used lethal force.
- One event (UOF21-032) involved four family members fighting each other. When officers responded, each of the family members refused to comply with lawful commands and was assaultive towards the officers. Each subject required at least one use of force instance to control and take into custody.
- Prior to HB 1054 taking effect, our department banned the use of vascular neck restraints. As a result, our officers were required to use other less effective forms of physical control techniques 11 times. These techniques included joint manipulations that rely on pain compliance and pinning or physically using bodyweight to hold a subject down on the ground.
- Of the 16 use of force events requiring multiple techniques to be used, 12 resulted in prolonged encounters and injuries to our officers because they could not quickly and effectively control a combative subject using just one technique and or tool.
- Injuries from the 34 reportable use of force events for 2021 resulted in the following:
  - UOF21-002 – An officer injured their back while taking down a subject resisting arrest for DUI.
  - UOF21-003 – An officer was assaulted and took the subject down to the ground to stop the attack. The officer injured their knee following the takedown and trying to arrest the subject.

- UOF21-006 – An officer experienced two ineffective TASER deployments while attempting to arrest an assaultive subject. The officer transitioned to a different technique and injured their knees during a takedown.
- UOF21-008 – One officer suffered minor injuries to their hand while working with another officer to take down a subject who refused to voluntarily comply during an arrest.
- UOF21-009 – An officer suffered minor injuries to their elbow while attempting to take down an assaultive subject in crisis; the subject was involuntarily committed.
- UOF21-010 – An armed subject in crisis was treated as a precautionary measure after their leg was struck by a 40MM impact; the subject did not complain of injury and was involuntarily committed.
- UOF21-018 – An officer arrested a subject and while waiting for a backup to arrive, the subject kicked the officer in the knees causing injury.
- UOF21-019 – Three officers attempting to arrest a subject for assault were injured when the subject resisted arrest and was taken to the ground. Two officers injured their knees, while the other officer injured their hand.
- UOF21-022 – An officer injured their back while taking down and physically restraining a subject resisting arrest for a warrant.
- UOF21-024 – An officer suffered injuries to his arm, face, wrist and reaggravated an injury in his neck and back after taking down and physically restraining a subject resisting arrest.
- UOF21-025 – Two officers were attempting to arrest a subject who violently attacked a victim. Both officers were punched in their face and suffered additional injuries to their knees, elbows, and wrists while taking the subject into custody.
- UOF21-027 – Officers were attempting to arrest a subject who resisted arrest and grabbed onto one of the officer's duty belt and handcuff pouch. The officer delivered one knee strike and hurt their knee as they took the subject down to the ground.
- UOF21-028 – Plain clothes detectives attempted to arrest a subject for a warrant. The subject attempted to flee and assaulted one of the detectives. One detective suffered an injury to their arm and the other injured both hands as they took the subject down to the ground. The subject suffered an injury to their forehead.
- UOF21-029 – Multiple officers were injured while attempting to arrest a violent subject. The subject dug their fingers into the face and eye of one of the officers as they took the

subject to the ground. The other officer suffered injuries to their shoulder while trying to physically restrain the subject.

- UOF21-030 – Multiple officers attempted to arrest an armed subject in crisis. One officer was punched in the head and suffered an injury while another officer was injured after being kicked in the arm and hand during the arrest process.
- UOF21-031 – Two officers were injured while attempting to detain an intoxicated subject. One officer reagravated a shoulder injury when the subject dropped their weight backwards during handcuffing. Another officer sustained an injury to their knee and foot as the subject continued to fight while being physically restrained.
- UOF21-032 – Multiple officers were injured while attempting to break up a fight involving four subjects. One officer injured their back after tasing an assaultive subject and then taking them to the ground. A second officer injured their knee while trying to control a subject who repeatedly kicked at the officer until leg restraints were used. A third officer injured their ankle as they took down a combative subject to the ground.
- UOF21-033 – An officer injured their elbow while trying to physical restrain a subject resisting arrest on the ground.
- The following are the outcomes of the 34 reportable force events:
  - 30 subjects were arrested
  - 6 subjects were transported for an involuntary commitment
  - 1 subject was deceased because of force used by another law enforcement agency
- Of all 34 reported force events, 7 subjects were identified as having official business (e.g., passenger, ticketed passenger, employee, guest of passenger). All other subjects were at the airport or Seaport locations for reasons other than travel or official business.

## COMPARISONS

In comparison to 2020 the department saw an increase of two force events from 32 to 34 and an increase in total instances of force being used from 38 to 59. This is an increase of 6% and 55% respectively. Although there are several considerations to attribute to the rise in force being used, one of the primary factors has been the significant increase in total passenger volumes. In 2021, passenger traffic through SeaTac Airport increased by 80% from 20 million to more than 36 million<sup>1</sup>.

Throughout the year the department experienced a steady increase in total arrests from 567 to 593 and an increase in subjects contacted for trespassing from 683 to 716, thus correlating with the increase in

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<sup>1</sup> Port of Seattle. (2022, March). *Flywell@SEA: 202 By the Numbers*. Retrieved from Port of Seattle Web Site: <https://www.portseattle.org/page/airport-statistics>

passengers and people moving through SeaTac Airport. This subsequently also increased our arrest-to-use of force percentage from 3.5% in 2020 to 5.7% in 2021.

Takedowns continue to be the most widely used force type and its use has increased every year over the last four years. TASER use increased from one deployment in 2020 to seven deployments in 2021; however, only three deployments were effective (one was a display arc only). Impact weapons and OC spray are rarely used, especially within the airport environment.

Again prior to HB 1054 taking effect, our department also prohibited the use of OC spray and pepper projectiles against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public. In 2021, our Crowd Management Unit (CMU) reduced their number of deployments and had zero reportable use of force incidents. With the elimination of using vascular neck restraints as a viable force option, physical control techniques such as joint manipulation and pinning increased from zero in 2020 to 11 in 2021.

Our department has seen an increase in the necessity to use force on persons in crisis and who are involuntarily committed due to their violent behaviors and actions from one event in 2020 to six in 2021. Additionally, our officers needed to use leg restraints seven times to control subjects who were already in handcuffs and violently continued to kick their legs.

Lastly, no suspects suffered any severe or long-term injuries because of force we used, but our officer injuries-to-use of force percentages have increased from 40% (8 officer injuries) in 2020 to 59% (20 officer injuries) in 2021.

## **RECOMMENDATIONS**

Overall, our department continues to have very few reportable force events. In 2021, the department initiated 9,930 person-to-person contacts that resulted in 34 use of force events. Therefore, less than 0.35% of all in-person POSPD contacts resulted in the use of force. When looking at the 593 arrests our department members made in 2021 out of 9,930 contacts (excluding citizen assists), approximately 6% of those arrests resulted in any force being used.

Except for 2020, our department has steadily seen an increase over the last four years for the necessity to use leg restraints. Unfortunately, leg restraints have their limitations in that they do not immobilize a subject's entire lower body. This still presents numerous issues with transporting combative subjects in custody from an aircraft down to an awaiting patrol vehicle on the AOA ramp or from an airline gate to the unsecured side of the airport despite using an aisle wheelchair. Therefore, I would recommend the department review other restraint devices to address these challenges.

We were fortunate to provide some defensive tactics training but were limited in training type and actual physical contact because of continued Health & Safety restrictions due to the COVID-19 pandemic. Because physical control tactics require regular practice and consists of highly perishable psychomotor skills, I believe this was one contributing factor for the increase in officer related injuries related to using force. As we move away from COVID-19 in-person restrictions, I would also recommend that the department provide additional but structured defensive and control tactics training sessions on a voluntary basis.