

Date: April 3, 2023
To: Chief Villa
From: OPA Sergeant K. Yoshimura
Subject: 2022 Annual Use of Force Review

The Office of Police Accountability has completed the annual Use of Force Review for 2022.

This review analyzes events where department members were either dispatched or proactively responded to a call that resulted in the reportable use of force to overcome a subject’s resistance. 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 to determine 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 2022.

Reportable Force Events Table

	2018	2019	2020	2021	2022
Reportable Force Events	33	30	32	34	30
Takedowns	22	24	16	30	23
TASER	2	2	1	7	4
Strikes	1	3	1	1	1
Vascular Neck Restraint	2	7	3	BANNED	BANNED
Pointed Firearm	4	1	1	0	0
40mm Impact Munitions	0	0	4	2	1
OC Spray	0	0	10	0	0
CS Gas	0	0	2	0	0
Impact Weapon	0	0	0	0	0
Leg Restraints	2	5	0	7	7
Gun Fire	0	0	0	0	0
Other Physical Control (e.g., pinning, joint manipulation)	1	0	0	11	18
Citizen Complaints from Force Used	0	0	0	0	0

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 2022, the following should be noted:

- During the 2022 calendar year, our department experienced 30 reported use of force events and a total of 54 separate uses of force.
- All use of force events were determined to be within department policy.
- 27 use of force events occurred at the airport, 2 events occurred within the boundaries of the Seaport Division, and one occurred in the City of Burien during a follow up investigation.
- There were 19 events where multiple force techniques (combining one technique with another) were required to control a non-compliant or combative subject.
- The most frequent type of force used was bringing a subject down to the ground with a takedown technique.
- There were 18 events where a non-compliant or combative subject needed to be physically restrained to overcome their resistance to being handcuffed.
- There were four for events using a TASER: one was an effective deployment, one was used as a display of force only, and 2 were ineffective deployments.
- Leg restraints were required during 7 force events following handcuffing as an additional measure control a subject who continues to kick their legs.
- There was one event where a 40mm impact munition was used to detain a subject who appeared to be in crisis after crashing through the security gates at Terminal 18. The subject was struck in the leg but did not respond to the impact and fled in their vehicle while crashing through another gate.
- For a second straight year 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 30 reported force events, there were 5 subjects with reported injuries from force being used and 14 officers reporting injuries. None of the injuries required hospitalization.
- There were two instances of NARCAN being used to revive someone experiencing a substance induced medical emergency, followed by force being used to control the non-compliant subject.
- Force was used on 23 males; 8 were identified as white, 6 were black, 3 were Asian, 2 were Hispanic, 2 were Native Alaskan/American, and 2 were categorized as unknown.
- Force was used on 6 females; 4 were identified as white and 2 were identified as black.

- One subject fled the scene in a vehicle before apprehension and was not positively identified as male or female. Their race was also not identified.
- There were 16 use of force events that occurred during nightshift and 14 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 2022.

ANALYSIS HIGHLIGHTS

- There were 23 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 2 ineffective TASER deployments; the deployments (UOF22-026) were initiated by the same officer on a heavily clothed subject. When additional officers arrived on scene, the subject was taken down to the ground, physically controlled, and subsequently handcuffed. Upon arrest, it was determined that only one of the probes penetrated the subject's skin in their hip area. There was no drive stun application to complete the circuit to produce neuromuscular incapacitation (NMI).
- During the ineffective 40mm less lethal deployment, officers were utilizing de-escalation tactics to communicate with a subject observed ripping apart their vehicle after crashing it through the security gates at Terminal 18. Although the 40mm munition struck the subject on the leg, the desired effect was not achieved. The subject fled the scene in their vehicle and could not be pursued per department policy and state law.
- Prior to HB 1054 taking effect in 2021, 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 18 times in 2022. These techniques include joint manipulations that rely on pain compliance and or pinning techniques to hold a subject down on the ground.
- During one encounter (UOF 22-023), a subject was initially pinned down by an off-duty police officer and TSA. When our officers arrived, they could not control the subject. The subject began biting down on a glass bead necklace they were wearing, which possibly contained some type of substance that caused the subject to become unconscious. The subject also sustained cuts to the inside of their lip prior to any police force being used. Narcan was administered to the subject; however, the subject continued to resist when revived.
- At the waterfront division, an officer (UOF22-011) was dispatched to a welfare check on a driver slumped over their steering wheel. Upon contact, the subject attempted to reach for a rifle and fight with the officer. When the officer successfully handcuffed the subject, the subject passed out. The officer used Narcan to revive the subject and called for medical aid for further treatment.

- Of the 19 use of force events requiring multiple techniques to be used, 6 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 30 reportable use of force events for 2022 resulted in the following:
 - UOF22-002 – A K9 officer was working with their partner when a subject attempted to assault an innocent bystander. The officer deployed their TASER to prevent the assault. The only injury that occurred was when the probes penetrated the subject’s skin.
 - UOF22-003 – A subject attempted to assault an officer upon being escorted off Port property. After being arrested, the subject kicked the officer during the search of their property incident to arrest.
 - UOF22-005 – A subject attempted to flee on foot by running away after detectives attempted to make an arrest for possession of a stolen vehicle. The subject was taken to the ground and injured their ribs.
 - UOF22-006 – Multiple officers attempted to arrest a combative subject for trespassing. While lowering the subject down to the ground, the subject headbutted one of the officers causing injury to the officer.
 - UOF22-008 – Multiple officers attempted to arrest a subject for shoplifting. After placing the subject in handcuffs, the subject mule kicked an officer twice. When the officers lowered the subject to the ground to apply leg restraints, the subject assaulted another officer by scratching and clawing at the officer’s hands causing injury.
 - UOF22-013 – Multiple officers attempted to arrest a subject for breaching a TSA checkpoint. As officers attempted to arrest the subject, the subject grabbed one officer in a headlock and clawed at the officer’s face causing injury.
 - UOF23-014 – A subject in crisis was detained for assault. While calmly talking to an officer, the subject suddenly kicked the officer in the legs twice. The subject was arrested and moved to a patrol vehicle. During the escort the subject slipped out of their handcuffs. The subject kicked another officer in their legs when trying to move them out of the patrol vehicle to an aid vehicle. The subject was injured after they struck their head against the prisoner partition inside the patrol vehicle.
 - UOF22-015 – Multiple officers were attempting to arrest a subject for breaching a TSA checkpoint. During the arrest, the subject was taken to the ground but turtled up in a

defensive position. The officers received abrasions to their knees and hands while handcuffing the subject.

- UOF22-019 – Multiple officers attempted to arrest a subject for trespassing. The subject was non-compliant and dropped to the ground. The officers scraped their knees and hands as they went down to the ground with the subject and placed the subject in handcuffs.
- UOF22-023 – While attempting to detain a subject in crisis at a checkpoint, the subject bit into a beaded necklace they were wearing. The subject ingested an unknown substance concealed inside the beads and cut their lip chewing on the glass beads.
- UOF22-026 – Two officers were attempting to trespass a known subject. The subject began to leave then suddenly aggressed towards the officers with closed fists. After attempting to deescalate the situation, the subject was tased twice with no effect. Additional officers arrived on scene and took the subject to the ground. While attempting to handcuff the subject, two officers scraped their knees causing injuries. The only injury to the subject was from the one Taser probe that penetrated their skin.
- UOF22-030 – An officer was attempting to deescalate an intoxicated subject. The officer had taken control of the subject's hand after the subject kept waving it around as if to assault the officer. When the subject began to calm down, the officer released the subject's hand. Just as the officer released the subject's hand, the subject punched the officer in the face with their other hand.
- The following are the outcomes of the 30 reportable force events:
 - 24 subjects were arrested.
 - 5 subjects were transported for an involuntary commitment.
 - 1 subject fled the scene before apprehension or identification.
- Of all 30 reported force events, 8 subjects were identified as having official business (e.g., passenger, ticketed passenger, employee, guest of passenger). One subject was contacted by detectives on a follow-up outside of our primary jurisdiction and attempted to run away when advised they were under arrest. All other subjects were at the airport or Seaport locations for reasons other than travel or official business.

COMPARISONS

Comparatively, the department saw a decrease in use of force events from 34 in 2021 to 30 in 2022. Of the 30 force events, 24 resulted in a physical arrest, 5 resulted in an involuntary commitment due to mental health crises, and one subject fled the scene. Although our use of force events decreased from last year there are no clear indications as to why these slight variances occur, especially when our passenger volumes increase. During 2022, passenger traffic through SEA increased by nearly 28% from 36 million to nearly 46 million¹.

Throughout the year the department experienced a steady increase in total arrests from 593 to 753 and an increase in subjects contacted for trespassing from 716 to 1015, thus correlating with the increase in passengers and people moving through SEA. However, our arrest-to-use of force percentage decreased from 4.6% in 2021 to 3.2% in 2022 (*see fig. 1*).

Use of Force to Total Arrests Made

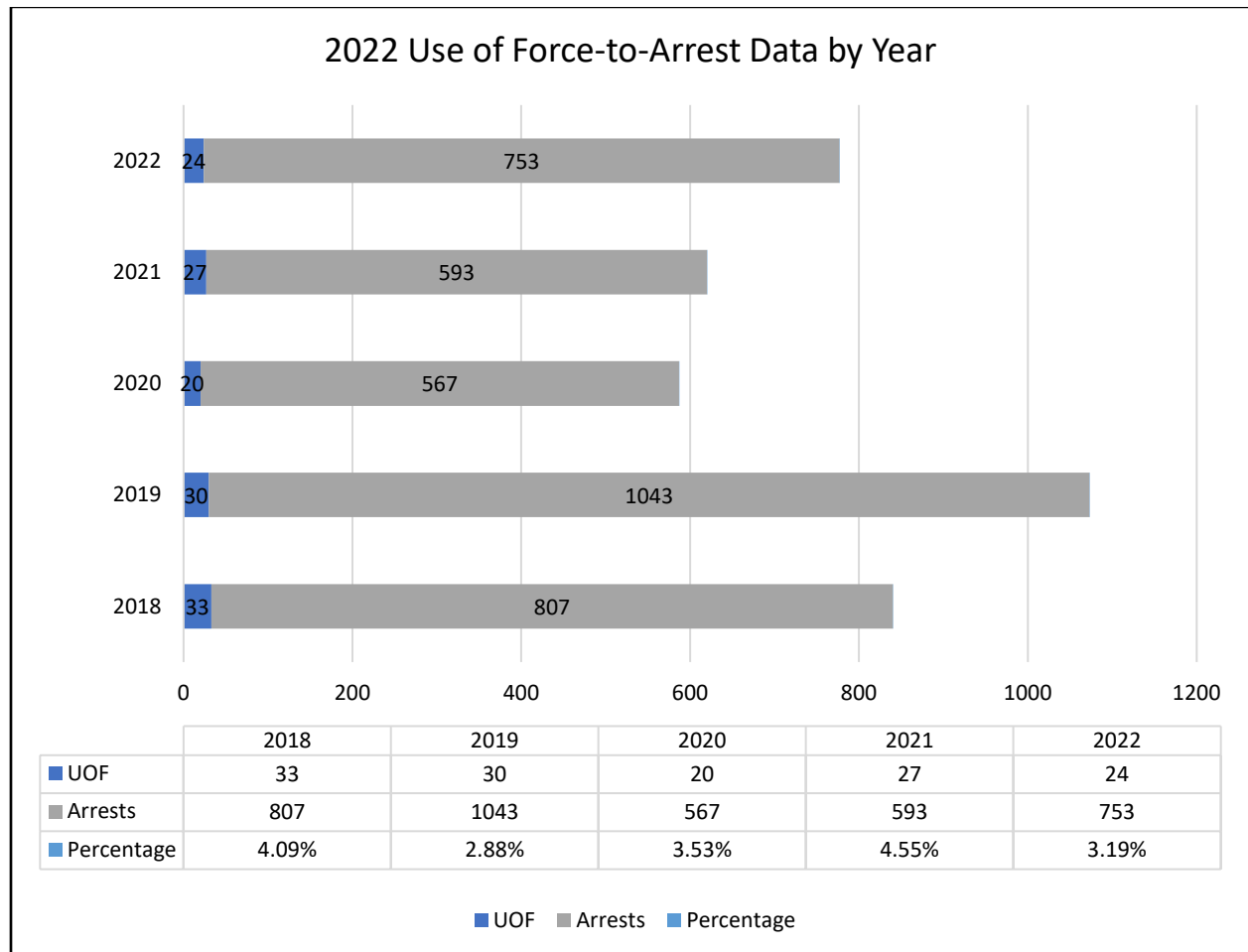


Figure 1

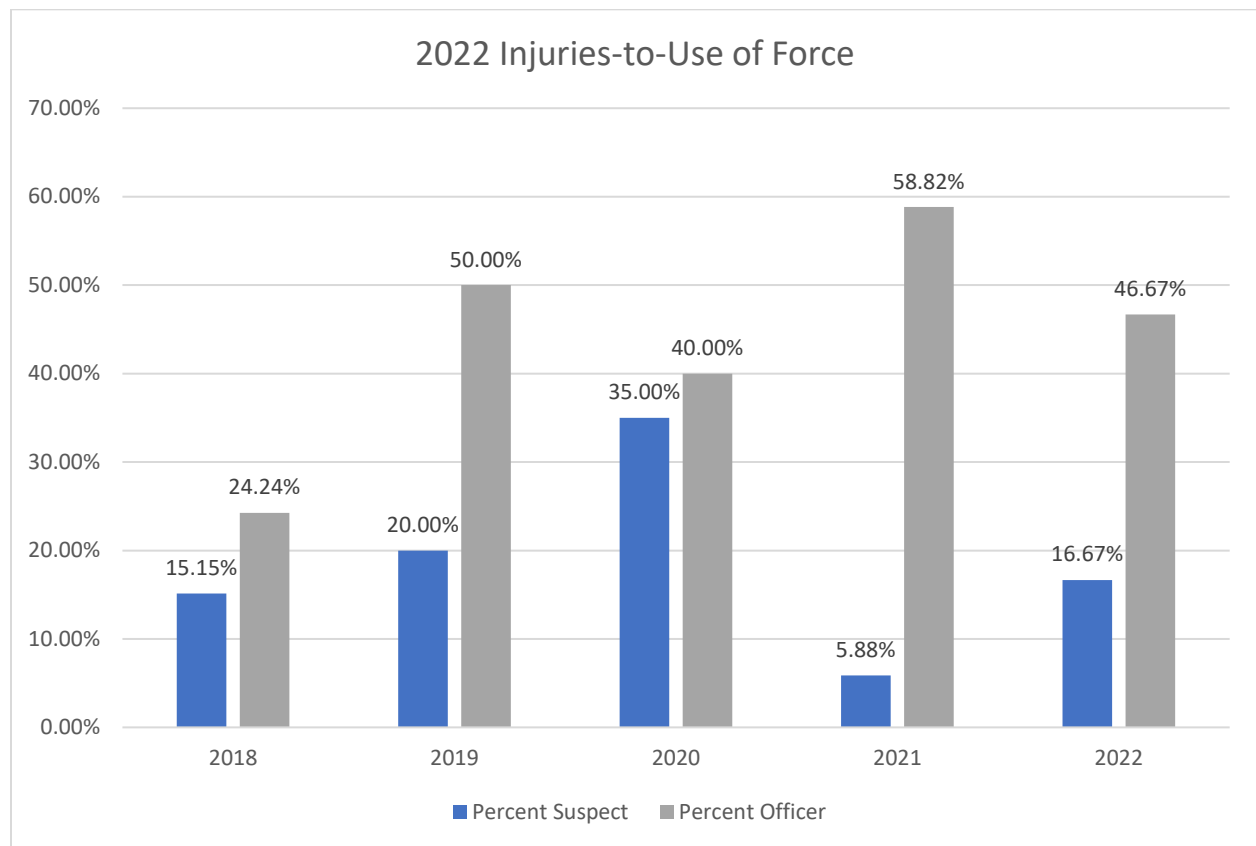
¹ Port of Seattle. (2023, March). *Flywell@SEA: 2022 By the Numbers*. Retrieved from Port of Seattle Web Site: <https://www.portseattle.org/page/airport-statistics>

Takedowns are the most widely used force type documented every year for the last five years. TASER use decreased from seven deployments in 2021 to four deployments in 2022; however, only one deployment was effective in achieving NMI. Impact weapons and OC spray are rarely used, especially within the airport environment.

Prior to HB 1054 taking effect in 2021, our department 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 2022, our Crowd Management Unit (CMU) 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 11 in 2021 to 18 in 2022.

For the calculations in the table above, only 24 of the 30 reportable force events were used because they resulted in an arrest. Of the remaining five events, four were related to involuntary commitments where the subject was transported to a facility for treatment and in the fifth event the subject was not apprehended or identified.

Use of Force Events Resulting in Injury



Year	UOF	Suspect Injuries	Officer Injuries
2018	33	5	8
2019	30	6	15
2020	20	7	8
2021	34	2	20
2022	30	5	14

Figure 2

Using force should never be the desired outcome of any police officer due to the inherent dangers and risks of injuries to everyone involved. In 2022, there was an increase from 3 to 5 reported subject injuries; however, it is important to distinguish the differences with these injuries. In one of the events, the subject claimed the injury to their ribs was pre-existing. Two other injuries were related to the TASER probes penetrating the subject’s skin and another injury was self-inflicted when the subject began chewing down on a glass necklace they had been wearing at the time of arrest. Only 1 of the 5 injuries was related to a takedown where the subject ended up biting their lip. Contrarily, our officer injuries-to-use of force percentages decreased from 58% (20 officer injuries) in 2021 to 46% (14 officer injuries) in 2022 (see fig. 2).

Nationwide Use of Force to Calls for Service

	2022 POSPD Statistics	POSPD Percentage of Calls for Service	National Statistics	National Percentage of Calls for Service
Calls for Service	80,041	100%	61,500,000²	100%
Dispatched & Self-Initiated Contacts, FIRS and TS (Actual Face-to-Face Contact)	13,375	16.71%	37,800,000²	61.46%
Total Arrests (Requires Face-to-Face Contact)	753	5.62%	10,300,000²	27.25%
Use of Force (% of Actual Face-to-Face Contact)	30	0.22%	400,000²	1.06%
Officers Injured (% of Actual Face-to-Face Contact)	14	0.10%	Not Reported	-
Suspects Injured (% of Actual Face-to-Face Contact)	5	0.03%	200,000²	0.53%
Suspects Killed	0	0%	990²	0.0026%

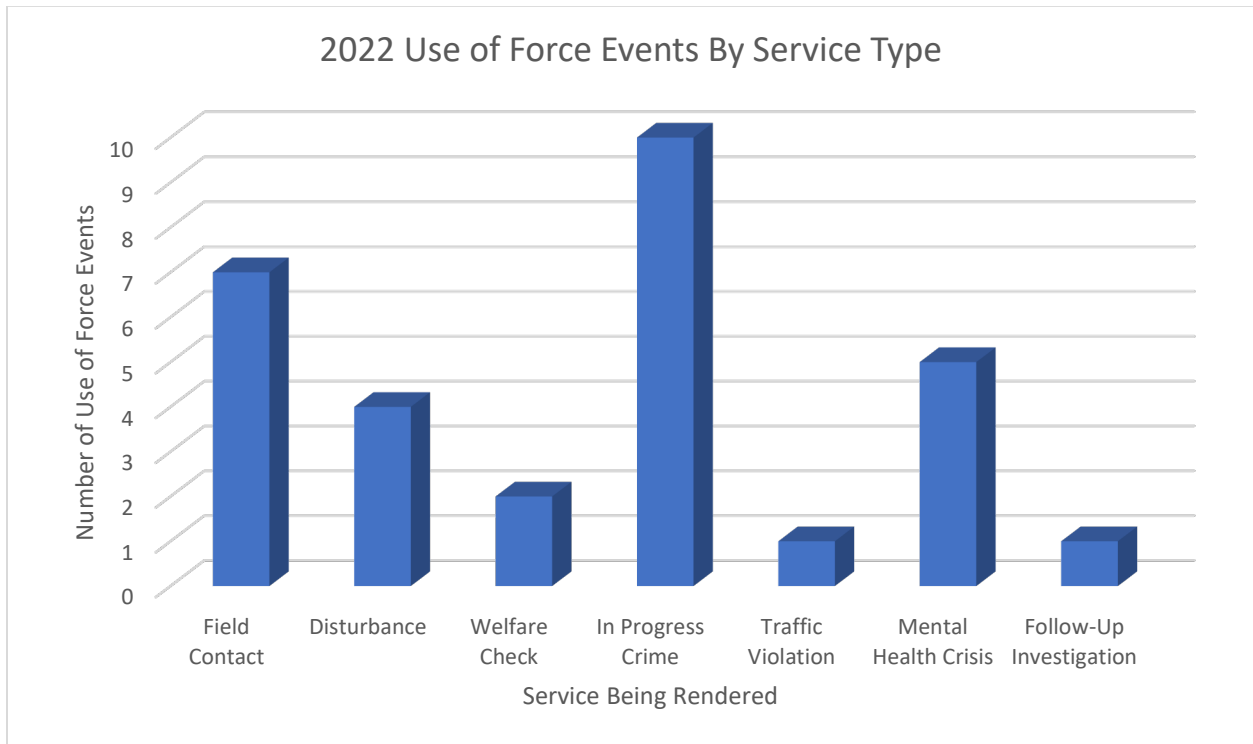
Figure 3

When compared nationwide, the Port of Seattle Police Department engages in very few use of force events in relation to the total number of calls for service requiring face-to-face contact; this does not include citizen assist contacts. Out of all face-to-face contacts (13,375) made in 2022, our officers arrested less than 6% (753) of the people they contacted in comparison to law enforcement officers on a national level who arrested more than 27% of all people they encountered – this is more than a 21% difference.

Additionally, the possibility of a suspect being injured during any police use of force encounter is extremely low at less than 1% nationwide. In 2022, our officers were 18 times less likely to cause injury to a suspect during any of our use of force encounters (see fig. 3).

²Harrrell, Erika; Davis, Elizabeth. (2020, December). *Contacts Between Police and the Public, 2018 - Statistical Tables*. Retrieved from U.S. Department of Justice: <https://www.bjs.gov/content/pub/pdf/cbpp18st.pdf>.

Use of Force Event in Relation to Call for Service Type

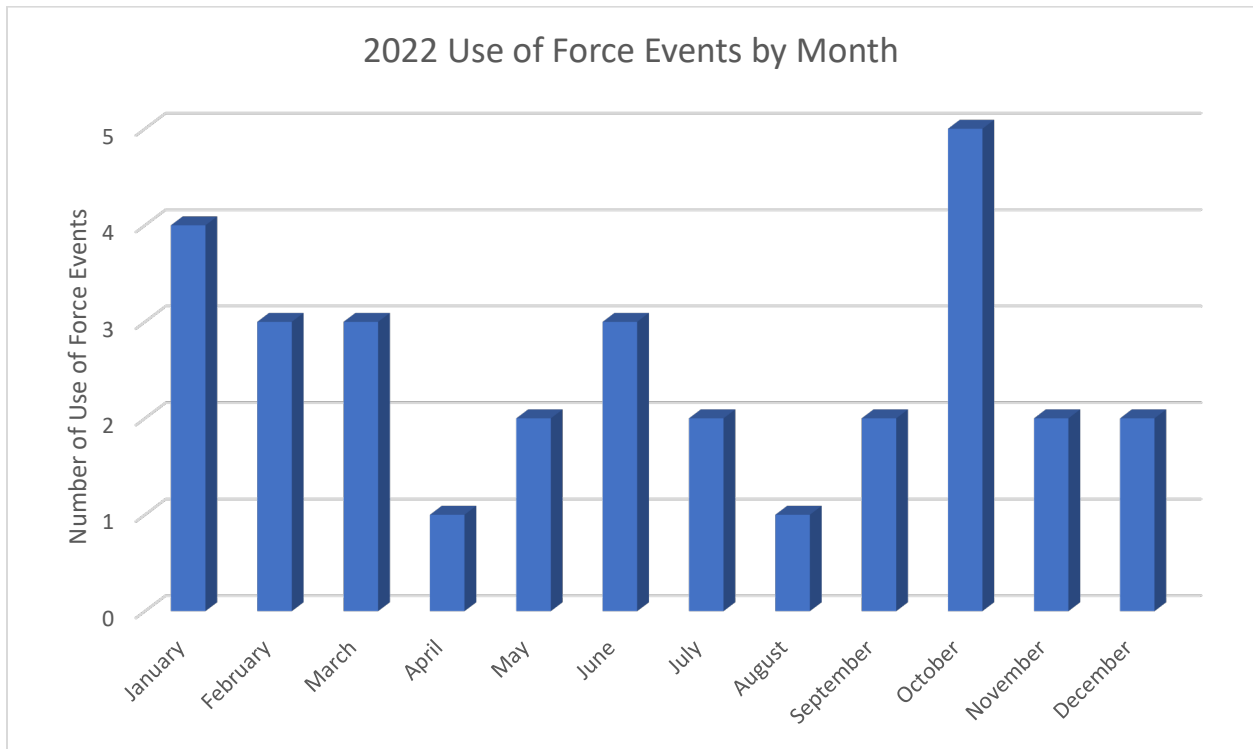


Most force events in 2022 occurred when officers were either dispatched to in-progress crimes (e.g., assault, security breach, shoplifting) or field contacts for trespassing. Closely behind in progress crimes and field contacts were disturbances such as dealing with intoxicated persons and civil disputes.

In addition to de-escalation tactics and a mental health crisis team, our department continues to see the necessity to use force on persons in crisis and who are involuntarily committed due to their violent behaviors and actions. Our officers also needed to use leg restraints during seven force events to control subjects who were already in handcuffs and violently continued to kick their legs.

Except for the one use of force event by CID during a follow-up theft investigation, all other use of force events occurred during patrol related responses.

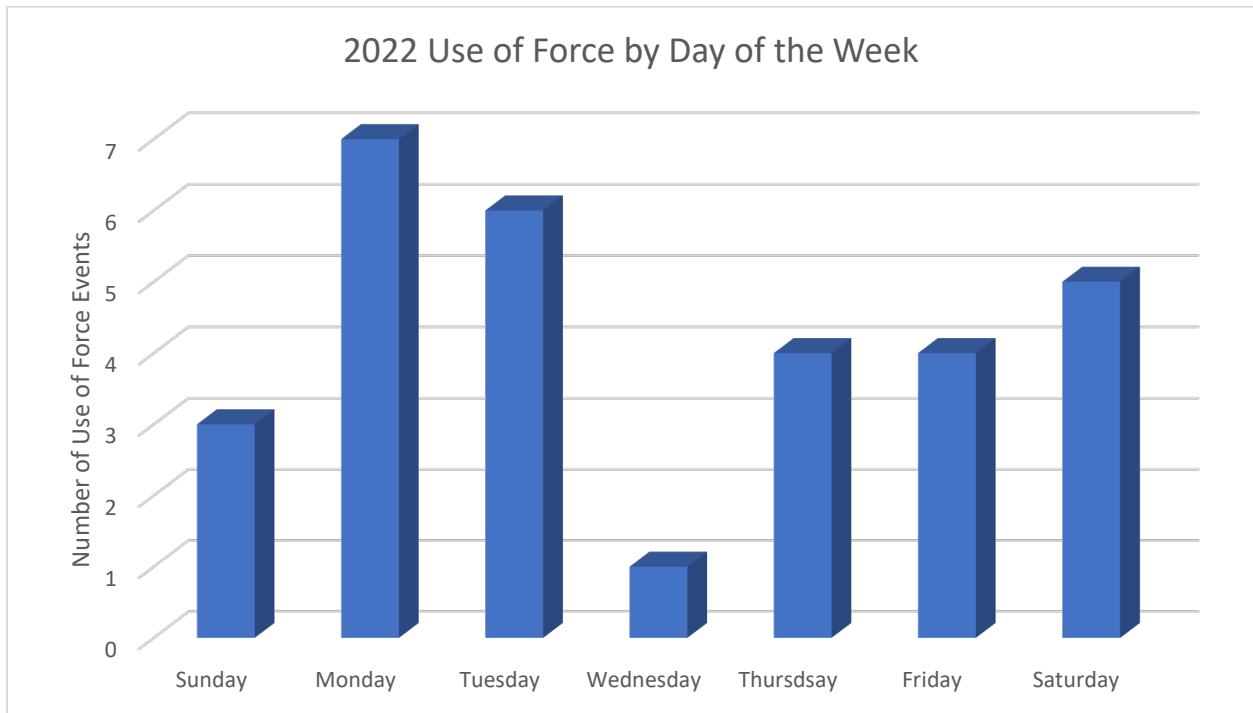
Use of Force Events by Month



Despite a full-term cruise season returning to Seattle, for the second consecutive year most force events occurred outside of the normal cruise season months of May through September. Before COVID, most of our use of force events occurred during the cruise season months. However, during 2022 most of our force events occurred between the months of January through April and then again from October through December.

Upon reviewing the available data, I can find no adverse trends, patterns, or areas of concern relating to which months of the year reportable force is being used by our department members.

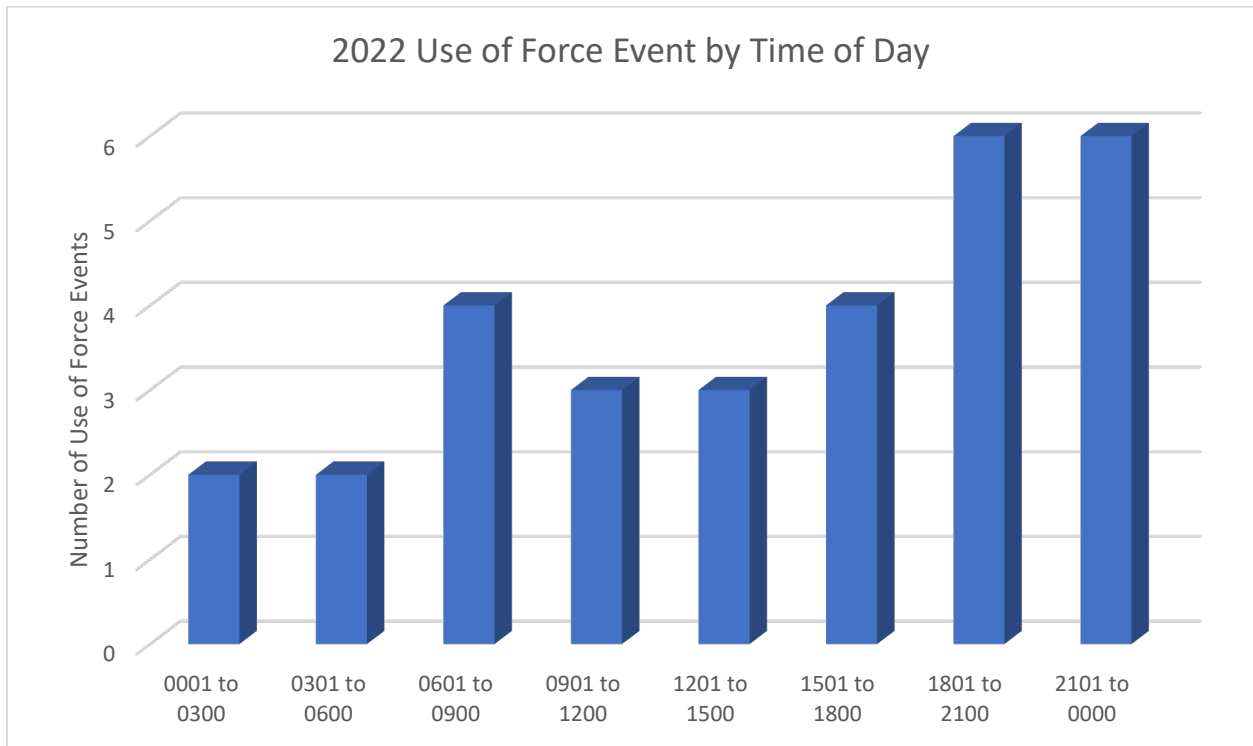
Use of Force Events by Day of Week



During 2022, the days of the week with the highest number of force events occurred on a Monday with 7 and Tuesday with 6. Wednesday was the lowest with just one force event. Each of the other days of the week were relatively consistent, varying between 3 and 5 force events.

For the first time since we started analyzing our use of force events in 2017, Monday and Tuesday were listed as the days that saw the highest number of force events. Contrast to three years ago in 2019, Wednesday saw the highest number of force events. Outside of analyzing passenger loads at SEA by date and time, could find no significant factors as to why the days of the week with the most reportable force events vary from year to year.

Use of Force Events by Time of Day

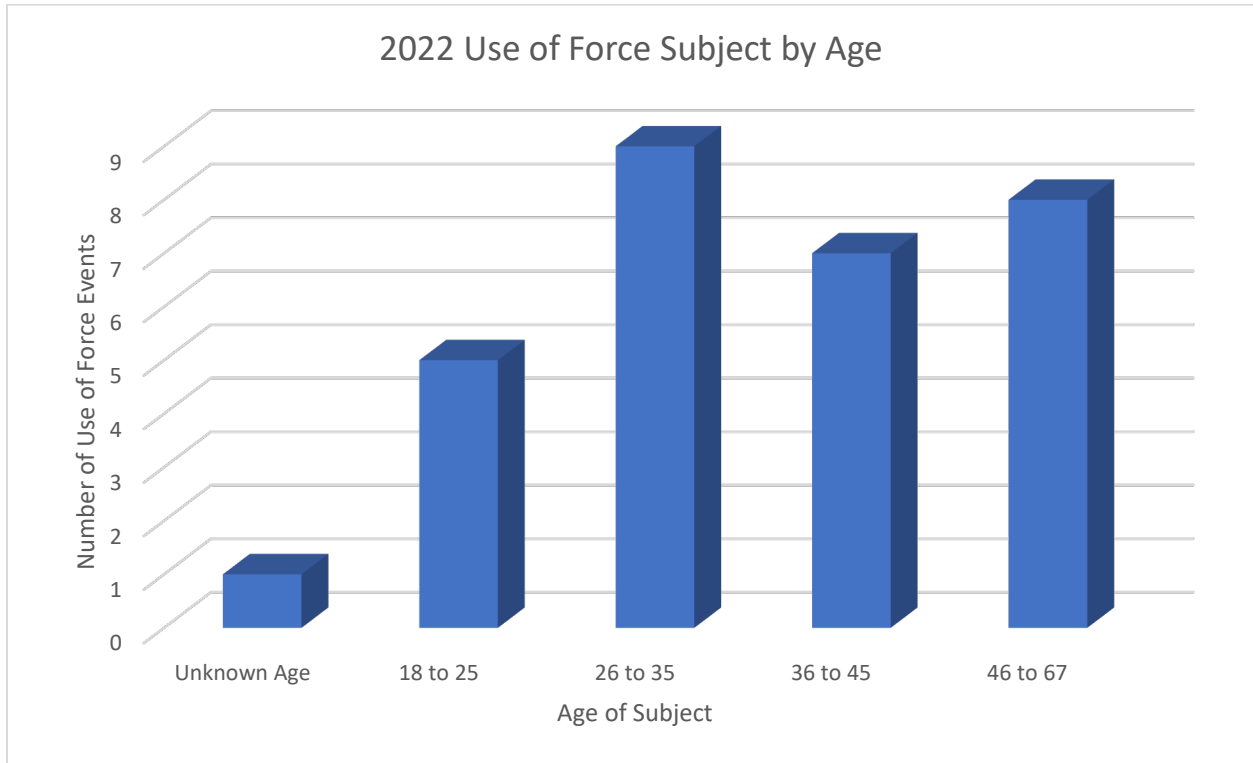


In 2022, the six-hour period from 1801 to 0000 hours were the times of the day that experienced the highest number of force events with a total of 12 events. Each of the other time blocks experienced between 2 and 4 force events.

Coincidentally in 2021, the hours between 2101 to 0000 saw the highest number of force events with 13. During the previous two years, the hours between 0601 and 0900 and 1501 to 1800 saw the highest number of force events. The comparison between the last four years is relative to the split between dayshift hours from 0500-1730 and nightshift hours from 1700-0530.

As with the previous years the number of reportable force events that occur during any given time of day appears to be random and I do not believe that there are any significant conclusions that should be drawn from this fact. One additional factor is to consider where our newest officers are assigned during their probationary and training phases.

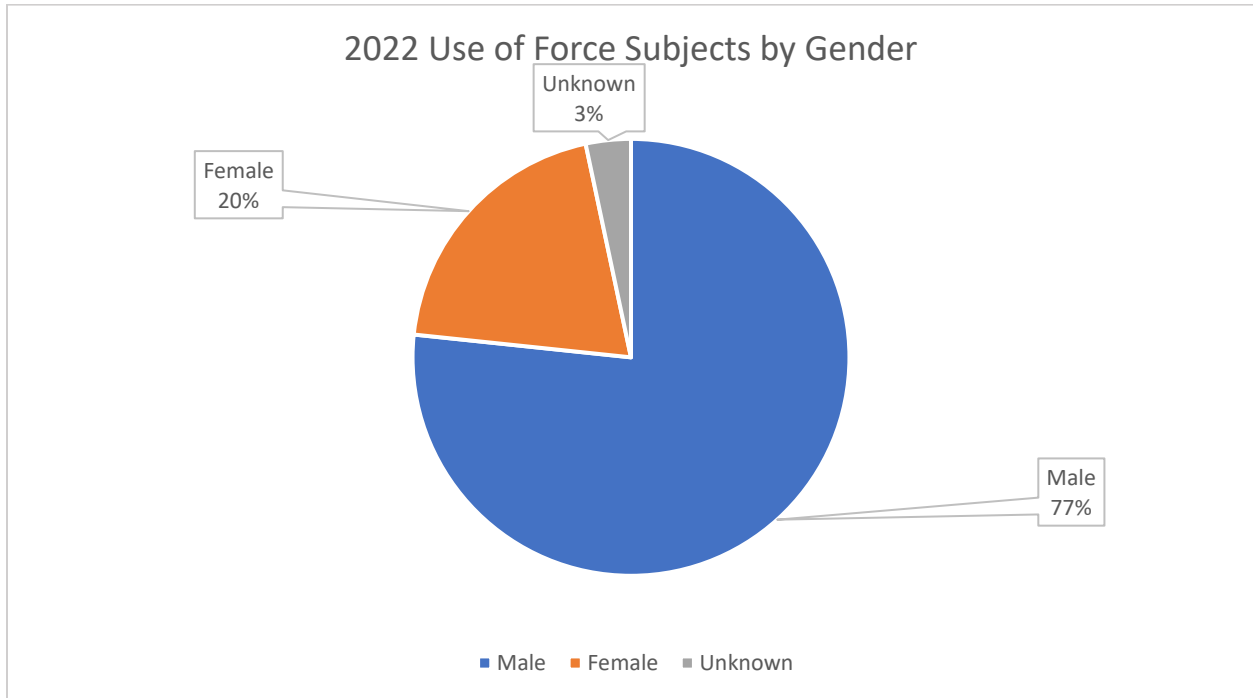
Use of Force Events by Age



The 30 subjects on whom reportable force was used in 2022, ranged in age from 19 to 55. There were 5 subjects who fell within the 18-25 age bracket, 9 within the 26-35 age bracket, 7 within the 36-45 age bracket, 8 within the 46-67 age bracket, and one that was of an unknown age. There were no juveniles or minors involved with any use of force events throughout the year.

Upon reviewing the available data, I can find no adverse trends, patterns, or areas of concern relating to which months of the year reportable force is being used by our department members.

Use of Force Events by Gender



Of the 30 use of force events that occurred in 2022, reportable force was used on 23 males and 6 females. One of the subjects fled apprehension after force was used and never positively identified.

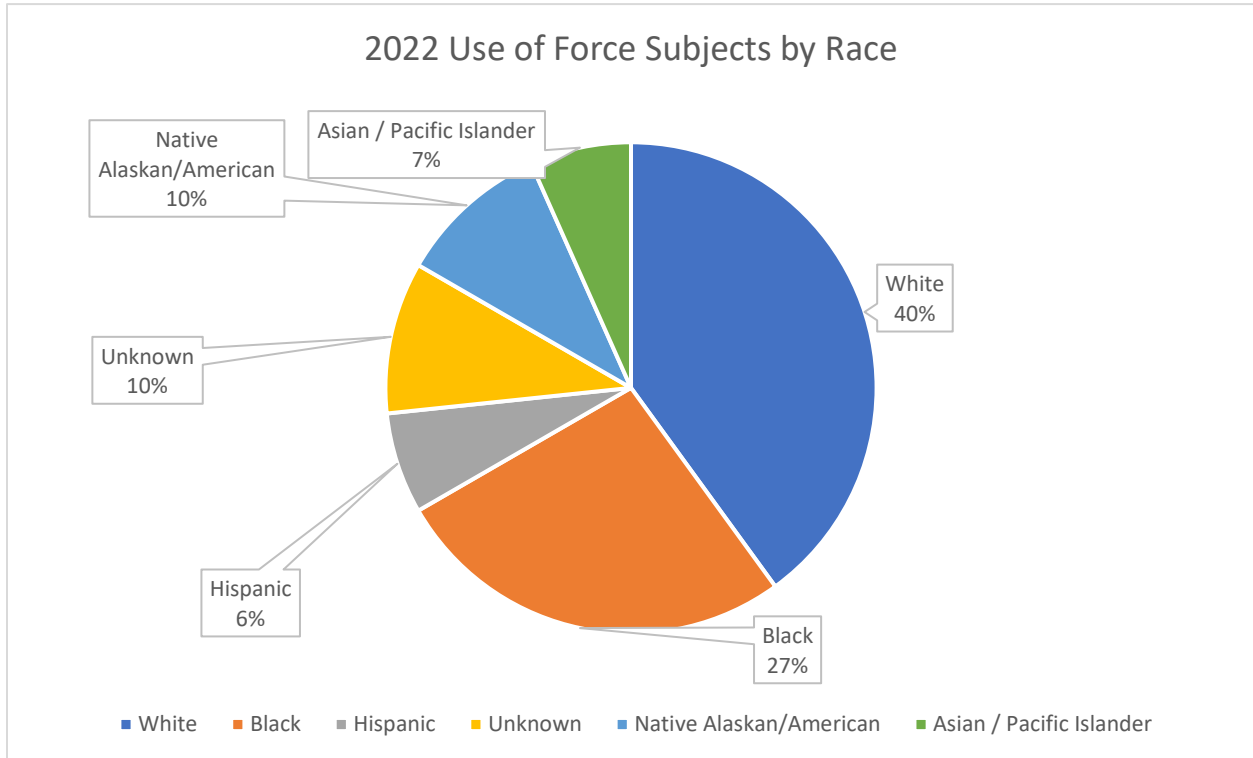
There were no known incidents in which force was used on any transgender subjects.

The fact that our department members used force on a much higher percentage of males (77%) than females (20%) is consistent with national norms relating to males tending to be more often involved in criminal activity or having negative interactions with the police. However, according to one report on police use of force, women accounted for approximately 31% of all people who experienced use of force by police during their interaction³. We are still well below the national average.

After reviewing the available data, I can find no adverse trends, patterns or areas of concern relating to the gender of the subjects on which our department members used force.

³ Wang, L. (2022, December 22). *New data: Police use of force rising for Black, female, and older people; racial bias persists*. Retrieved from [prisonpolicy.org](https://www.prisonpolicy.org): https://www.prisonpolicy.org/blog/2022/12/22/policing_survey/#:~:text=Women%20accounted%20for%20an%20alarming,a%20significant%208%20percentage%20points

Use of Force Events by Race



Of the 30 subjects on whom force was used in 2022, 12 were white, 8 were black, 2 were of Asian/Pacific Island descent, 3 were Alaskan Native/Native American, 2 were Hispanic, and the last three were unknown. These statistics were similar to those reported in 2021 where 13 subjects were white, 12 black, 6 Asian/Pacific Islander, 3 Hispanic, and 3 were unknown.

To determine if there are trends, patterns, or areas of concern regarding the proportionate number of force events in relation to the race of the subjects upon whom force is used, accurate area demographics relating to the race of our actual “population” are needed. Unfortunately, attempting to ascertain accurate area demographics for our purposes as they relate to race is challenging, at best.

On this issue, there are several facts that should be acknowledged:

- Most of the subjects our department members use force on are not part of our travelling public and access the airport facilities for reasons other than travel.
- The Cities of Burien, Tukwila, and SeaTac, three jurisdictions that border our airport, have robust refugee programs to assist in the migration and support of immigrants from African nations. This increases our surrounding black population compared to other jurisdictions in King County.
- A 2012 King County study described SeaTac as one of the county’s most diverse cities with 61% persons-of-color and 31% foreign-born.

- Of the 30 subjects upon whom force was used while at the airport or surrounding Port properties, only 8 of them (26%) were travelling. The other 22 (74%) subjects were not at the airport or on Port property for travel or official business.

When considering the racial demographics of neighborhoods in which the airport resides and the low instances of force being used, the data does not indicate that our officers are making choices on who they contact or who they use force upon based upon the race of the subject.

RECOMMENDATIONS

Overall, our department continues to have very few reportable force events. In 2022, the department saw a 26% increase in person-to-person contacts from 9,930 in 2021 to 13,375, that resulted in 30 total use of force events. Therefore, less than 0.22% of all in-person POSPD contacts resulted in the use of force. When looking at the 753 arrests our officers made from 13,375 contacts, less than 4% of those arrests resulted in any force being used.

Apart from 2020, our department has steadily seen an increase over the last five years in the necessity for using leg restraints, which by itself represents one use of force incident type. 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.

However, 2022 saw significant strides towards making improvements by testing new equipment and providing additional training in 2023. We are fortunate to have highly trained and credentialed instructors who will provide control tactics training on a weekly basis moving forward in addition to our required annual in-service training sessions. After a long struggle to provide in-person training, we will soon be utilizing and testing a new whole body restraint system that is designed to replace our existing leg restraints and reduce injuries while restraining combative subjects.