

Date: March 20, 2024
To: Chief Villa
From: OPA Sergeant Doyle
Subject: 2023 Annual Use of Force Review

The Office of Police Accountability has completed the annual Use of Force Review for 2023.

This review analyzes events where department members were either dispatched or proactively responded to a call that resulted in a 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 2023.

Reportable Force Events Table

	2020	2021	2022	2023
Reportable Force Events	32	34	30	23
Takedowns	16	30	23	20
TASER	1	7	4	12
Strikes	1	1	1	2
Vascular Neck Restraint	3	BANNED	BANNED	BANNED
Pointed Firearm	1	0	0	1
40mm Impact Munitions	4	2	1	0
OC Spray	10	0	0	0
CS Gas	2	0	0	0
Impact Weapon	0	0	0	0
Leg Restraints	0	7	7	5
Gun Fire	0	0	0	0
Other Physical Control (e.g., pinning, joint manipulation)	0	11	18	19
Citizen Complaints from Force Used	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 2023, the following should be noted:

- During the 2023 calendar year, our department reported 23 use of force events and a total of 59 separate uses of force.
- All use of force events were determined to be within department policy.
- 22 use of force events occurred at the airport, one event occurred within the boundaries of the Seaport Division, at Terminal 46.
- Only two events involved force used by a single officer. Having multiple officers assisting enhances the probability of being able to safely perform a takedown and minimize all injury risk.
- The most frequent type of force use—20 of 23 cases—was bringing a subject down to the floor/ground with a takedown technique. In 19 of those 20 cases, additional force in the form of physical control techniques was used. In these cases, a non-compliant or combative subject needed to be physically restrained to overcome their resistance to being handcuffed.
- There were 12 force events using a TASER: four applications were effective and eight were not.
- Leg restraints were applied during five of the events following handcuffing as an additional measure to control a subject's kicking.
- For a third straight year, there were no reportable use of force events involving the use of any chemical weapon—OC and CS being our two options.
- In 2023, there were no uses of the 40 mm launcher during an event.
- In none of the last four years has an officer used an impact weapon (e.g. baton, flashlight, straight stick) or fired a firearm as a use of force. There was one event in which three officers simultaneously pointed their firearms at a suspect.
- Of all 23 reported use of force events, there were four subjects with reported injuries from force being used—three from taser probes and minor abrasions and one person who experienced pain from having previously dislocated a shoulder. The arrestee with the shoulder discomfort was transported to a hospital for evaluation.
- Nine officers sustained injuries during use of force events. One was transported to the hospital due to a concussion and another whose skin was torn open from a suspect's bite. Another received a puncture from a taser probe as he removed it from the arrestee.
- One community member suffered a broken finger while attempting to assist officers struggling to take a robbery suspect into custody.

- No uses of force followed a revival from NARCAN.
- Force was used on 23 people—21 men and 2 women and no minors. Those individuals were identified as White (5), Black (11), Asian (1), Hispanic (2), Polynesian (1), and Unknown (3). Reporting allows for categorization as Native Alaskan/Native American, but no one was identified as such.
- Of the 2 women, one was Black and one was White.
- There were 16 use of force events that occurred during dayshift and seven during nightshift.
- 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 that occurred in 2023.

ANALYSIS HIGHLIGHTS

- There were 20 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.
- IAPro case: UOF20230329 – A man experiencing a mental health crisis was walking around on top of an RCF bus. The bus was not moving and was on the lower drives. Immediately after he jumped from the top of the bus onto the asphalt, POSPD personnel stopped him from running into the traffic lanes. No one was injured and the man was transported to the hospital under the authority of the Involuntary Treatment Act.
- IAPro case: UOF20230416 – A man on board a Sound Transit bus robbed a passenger by placing a gun to her forehead. POSPD swiftly, tactically, and safely responded with appropriate tools, positioning, and coordination. They got uninvolved persons out of hazard's way and then addressed the armed suspect at gunpoint with verbal commands, which he followed. He was taken into custody with no physical injuries to anyone, though the victim was terrified. Subsequent to the use of force, the weapon used that had appeared to be a black Glock pistol, was discovered to be a pellet gun. The suspect had ski masks, three other replica firearms, and fake police badges in his backpack.
- IAPro case: UOF20230601 – An airline requested police assistance pertaining to one of their passengers on an inbound flight. After all other passengers were removed from the aircraft, the remaining passenger yelled declaratively to our officers, "I'm ready to die tonight!" Officers were able to take him into custody with no injuries. He was booked on multiple arrest warrants.
- IAPro case: UOF20230825 – An officer and sergeant were dispatched to Terminal 46 where a suspect had trespassed and gained entry into a running tractor attached to a trailer. The suspect ignored all of their numerous verbal commands. As the sergeant then made entry into the cab, the suspect made furtive, reaching movements as though toward a weapon. The sergeant

deployed a taser in response and despite resistance by the suspect, the sergeant and officer were able to take the subject into custody, though it required the additional assistance of terminal workers to do so.

INJURIES

- IAPro case: UOF20230109 – An airline requested police assistance with someone yelling at them. An officer escorted her away from the ticket counter and was immediately struck in the face by the suspect. She was taken into custody without receiving any injury.
- IAPro case: UOF20230128 – Officers located suspects prowling a car in the SEA garage. One particular suspect attempted to flee on foot and fought when caught. During the use of force, an officer's glasses cut his face and were broken. Another officer was exposed to the suspect's blood. The suspect had an abrasion on his palm and cheek.
- IAPro case: UOF20230825 – While placing a suspect into custody for criminally trespassing in the GMLAH, he stated, "I'm gonna suicide by cop," and began fighting the officers. The suspect was not injured; one officer suffered a scratch across his face due to a swipe by the suspect.
- IAPro case: UOF20230402 – One officer was flagged down at the RCF and another officer responded as backup. The suspect had been trespassing on a bus. Incident to the suspect's refusal to leave the premises, the officers began arrest procedures. The suspect fought the officers with a tremendous amount of force and resistance for six minutes before other officers arrived. The suspect bit one officer, drawing blood. The suspect acquired some facial abrasions and punctures on his back from Taser darts.
- IAPro case: UOF20230422 – A subject in a mental health crisis was actively trying to breach the airport. He was taken into custody by multiple officers. The suspect had minor injuries as a result: they were small abrasions and welts from Taser applications with a drive stun, which had elicited little response.
- IAPro case: UOF20230513 – Two officers confronted a known frequent trespassing subject. In an effort to escape arrest, the suspect struck an officer so hard that the officer's head hit the floor and was concussed. Two Taser applications were ineffective. They resulted in a small red mark on the suspect's leg.

- IAPro case: UOF20230825 – While removing a taser probe, the sergeant punctured himself and went to the hospital for clearance due to the possible exposure. The suspect was cleared from the Taser’s puncture wound before being booked into jail.
- IAPro case: UOF20230828 – While being escorted out of the airport, the suspect suddenly struck an officer while they were in the garage. The officer was scratched and bruised by the suspect. The suspect was arrested without receiving injury.
- IAPro case: UOF20231130 – A suspect implied a firearm while robbing an employee at the Currency Exchange in the main terminal. During the dynamic physical arrest of the fleeing and caught suspect, an officer suffered bruising and a bystander helping the officers suffered a broken finger. The suspect was not injured.
- The following are the outcomes of the 23 reportable force events:
 - 20 subjects were arrested.
 - 3 subjects were transported for an involuntary commitment.

COMPARISONS

Comparatively, the department saw a decrease in use of force events from 30 in 2022 to 23 in 2023. Although our use of force events decreased from last year there are no clear causal indicators beyond the variance of chance. During 2023, passenger traffic through SEA increased 10% from 46 million to nearly 50.8 million¹.

Throughout the year the department experienced a steady increase in total arrests from 753 to 1,093. However, our uses of force decreased from 3.98% of all arrests in 2022 to 2.10% in 2023 (*see fig. 1*).

¹ Port of Seattle. (2024, March). Retrieved from Port of Seattle Web Site: <https://www.portseattle.org/page/airport-statistics>

Uses of Force to Total Arrests

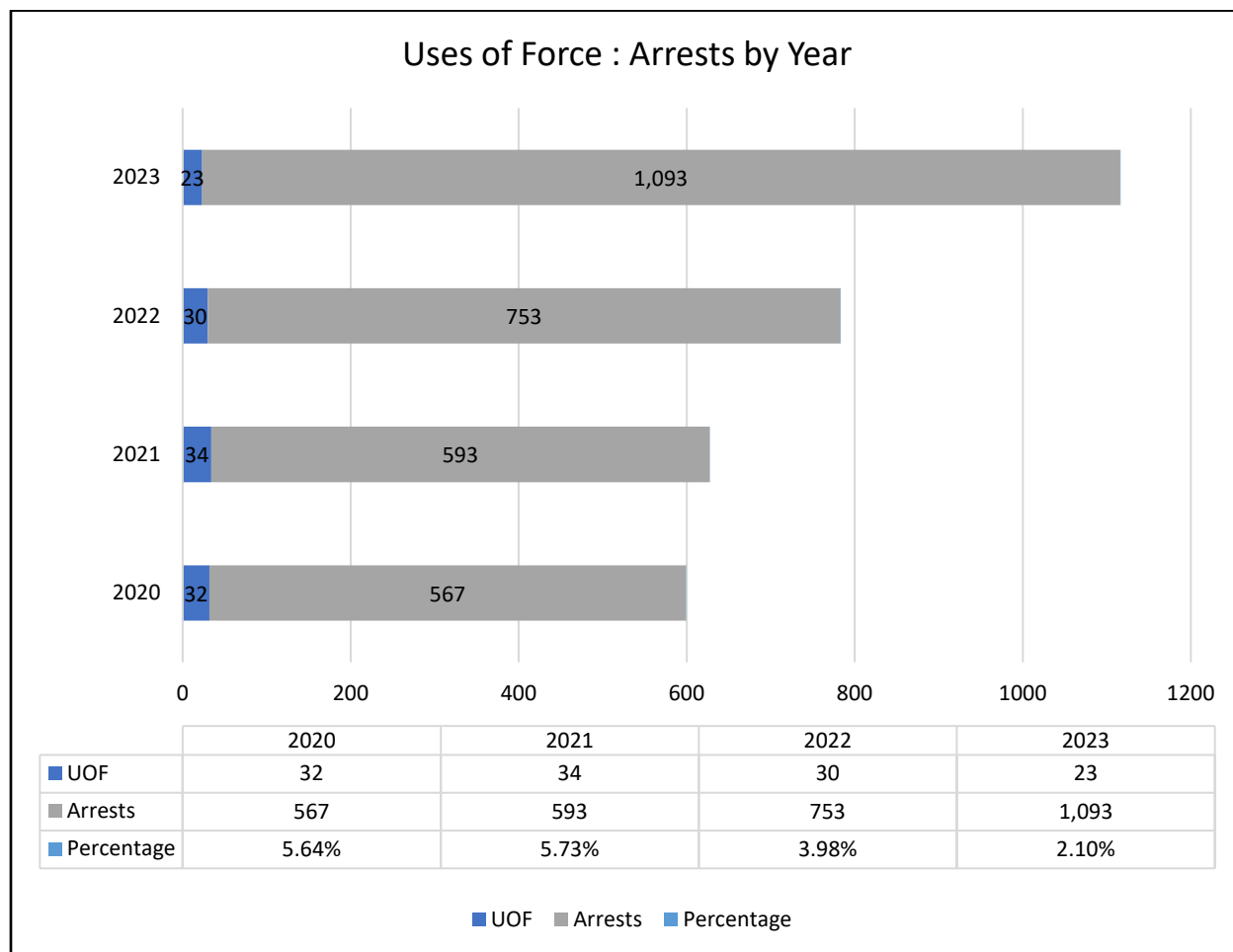


Figure 1

Takedowns are the most widely used force type documented every year for the last four years. The number of Taser applications tripled from four 2022 to twelve in 2023. Historically, impact and chemical weapons have rarely been used within the airport environment, and this year was no different, as no such uses of force occurred.

In 2023, our Crowd Management Unit (CMU) had zero reportable use of force incidents.

For the calculations in the table above, “Arrest” includes the taking of someone into custody for either criminal booking purposes or in order to effect custodial intervention under the authority of the Involuntary Treatment Act.

Use of Force Events Resulting in Injury

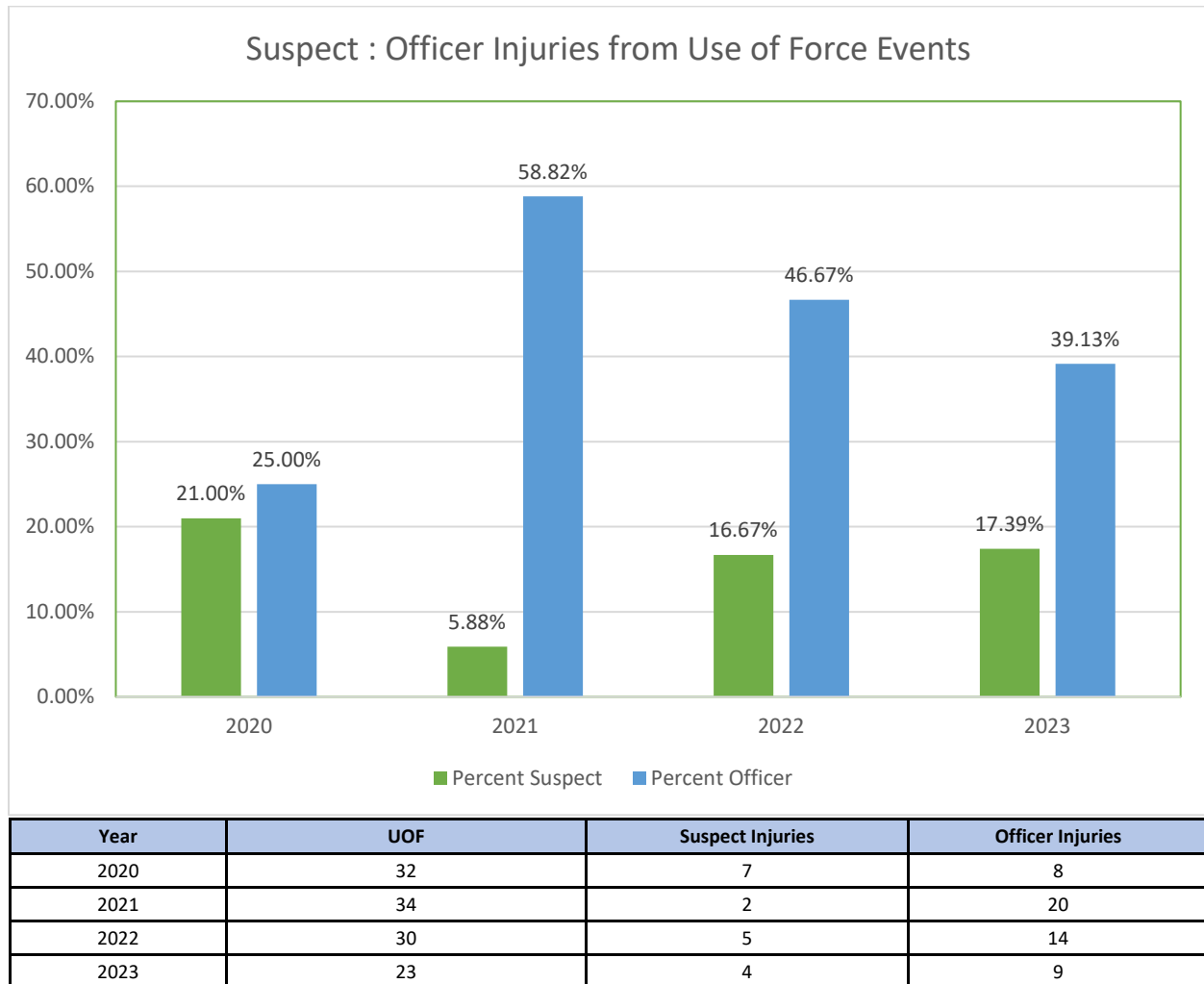


Figure 2

In 2023, there was a decrease from 30 to 23 uses of force and a decrease also from 5 to 4 subject injuries. Notably, Taser applications were the cause of most injuries to those being taken into custody. Also of note, all the injuries were relatively minor; they were either from the Taser or minor abrasions from scuffling while the officers struggled to apply handcuffs.

Officer injuries decreased as a percentage of use of force events; they went from 46% incidence to 39%: 14 in 2022 and 9 in 2023 (*see fig. 2*). The most serious injuries to our officers were a concussion, a bite through the skin, and exposure to the blood of a suspect known to have an SUD (substance use disorder).

Nationwide Ratio of Uses of Force to Calls for Service

	2023 POSPD Statistics	POSPD Percentage of Calls for Service	National Statistics	National Percentage of Calls for Service
Calls for Service	94,805	100%	61,500,000 ²	100%
Dispatched & Self-Initiated Contacts, FIRS and TS (Actual Face-to-Face Contact)	15,841	16.71%	37,800,000 ²	61.46%
Total Arrests (Requires Face-to-Face Contact)	1,093	6.90%	10,300,000 ²	27.25%
Use of Force (% of Actual Face-to-Face Contact)	23	0.15%	400,000 ²	1.06%
Officers Injured (% of Actual Face-to-Face Contact)	9	0.15%	Not Reported	-
Suspects Injured (% of Actual Face-to-Face Contact)	4	0.03%	200,000 ²	0.53%
Suspects Killed	0	0%	990 ²	0.0026%

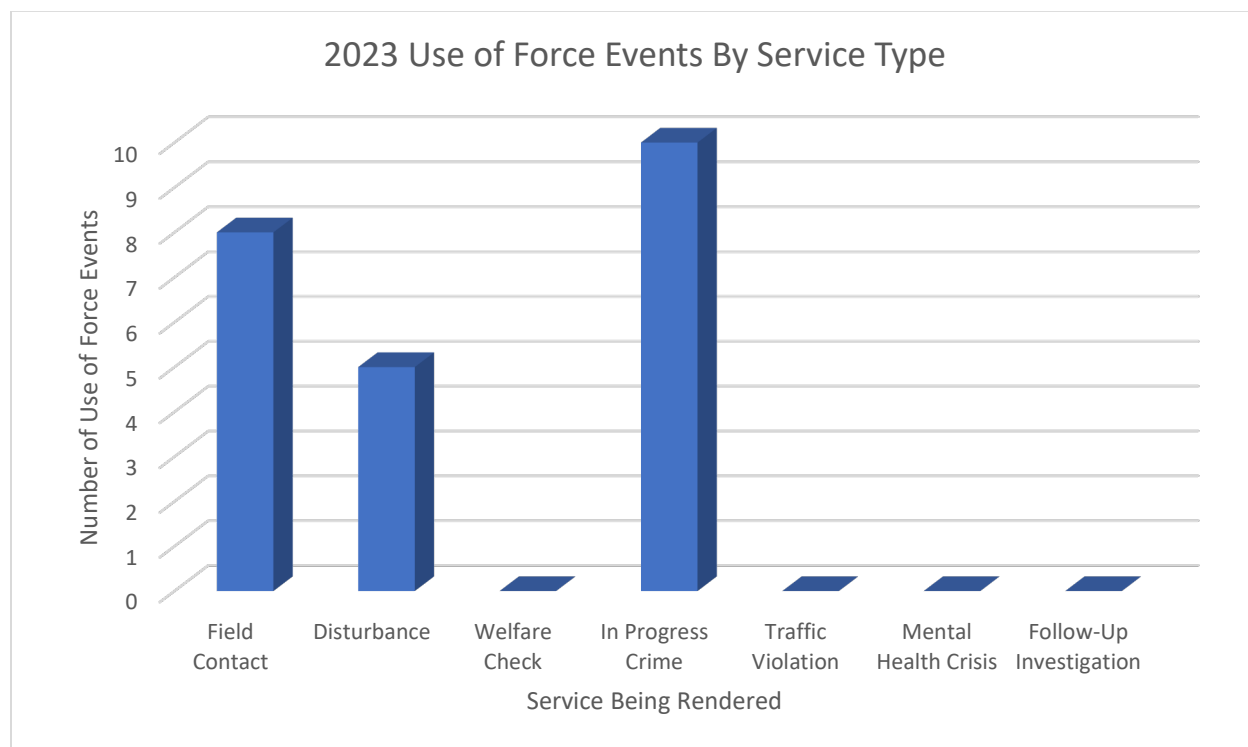
Figure 3

When compared nationwide, the Port of Seattle Police Department engages in very few uses of force relative 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 (15,841) made in 2023, our officers arrested less than 7% (1,093) 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 – arrests being nearly 400% more common on the national level.

Additionally, the possibility of a suspect being injured during any police use of force encounter is extremely low at less than 1% nationwide. In 2023, our officers were 18 times less likely than officers nationwide to cause injury to a suspect during any use of force encounter (*see fig. 3*).

²Harrell, 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

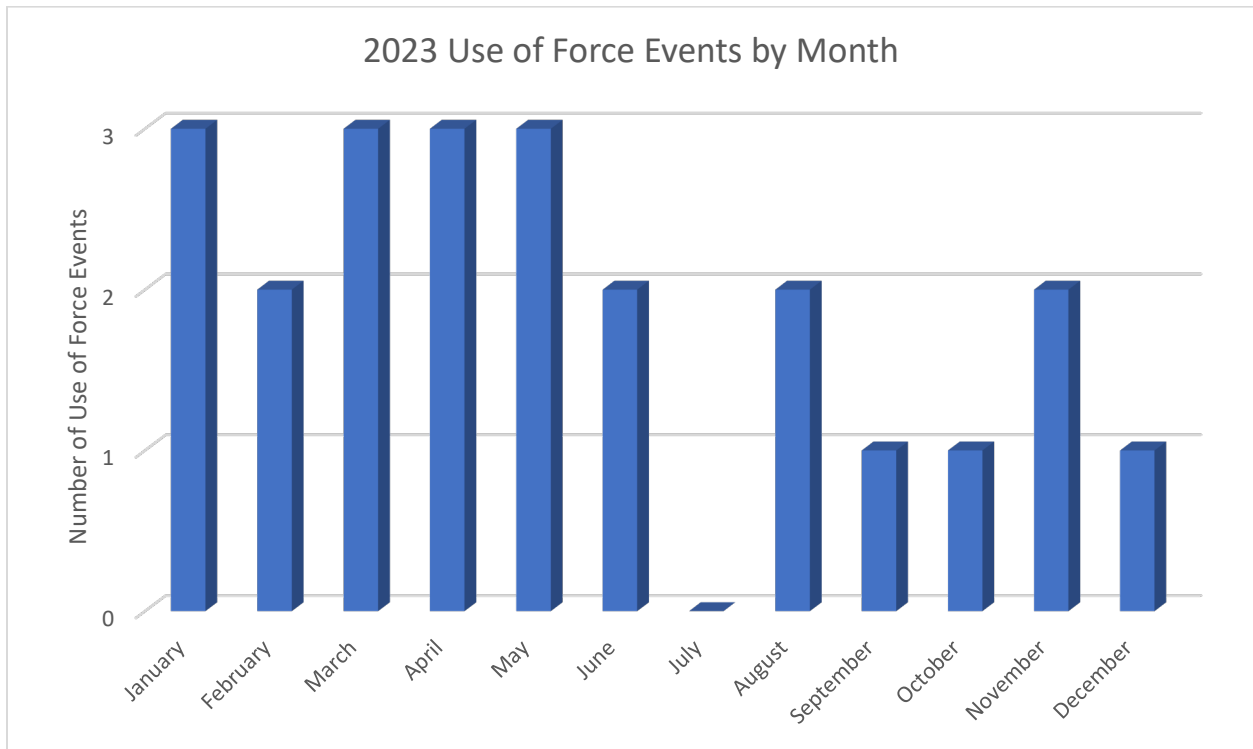


Most force events in 2023 occurred when officers were either dispatched to in-progress crimes (e.g., assault, security breach, shoplifting) or field contacts for trespassing. Closely behind in progress crimes and field contacts were disturbances such as dealing with intoxicated persons and civil disputes. In fact, those were the only types of originating calls that resulted in a use of force in 2023.

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 five force events to control subjects who were already in handcuffs and violently continued to kick their legs.

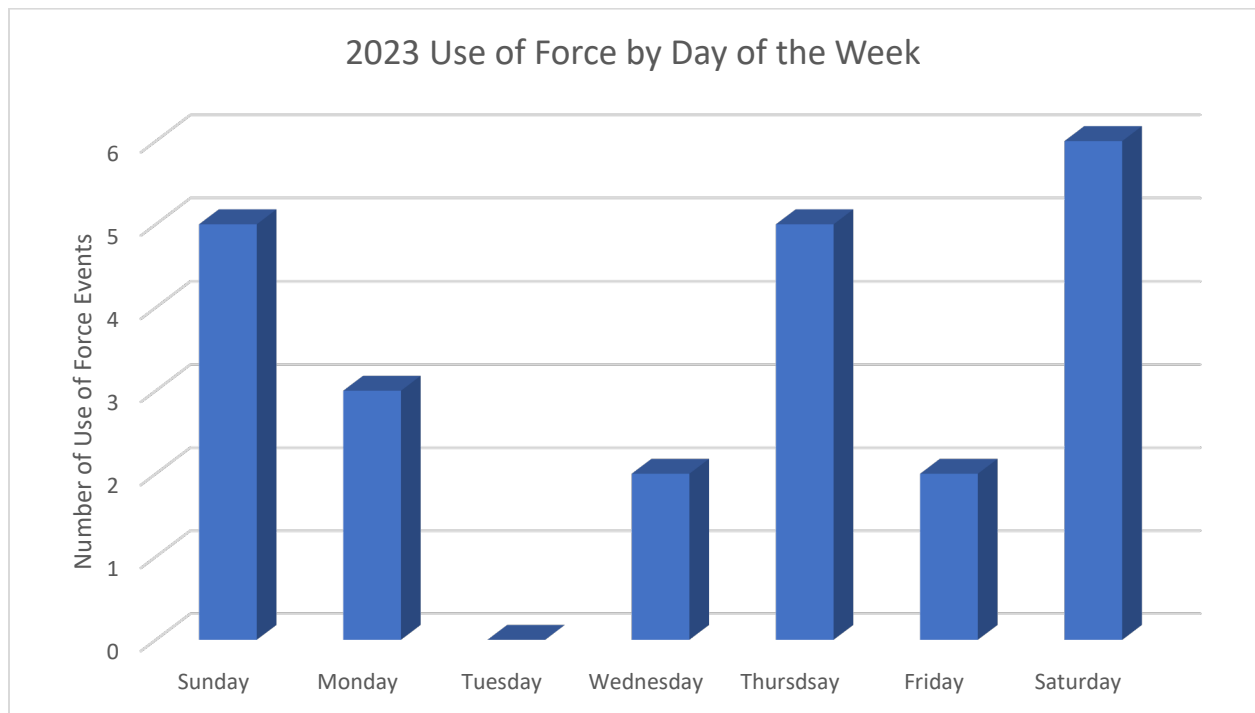
All use of force events occurred during patrol-related responses.

Use of Force Events by Month



Uses of force fluctuated from zero to three across all twelve months in 2023. 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.

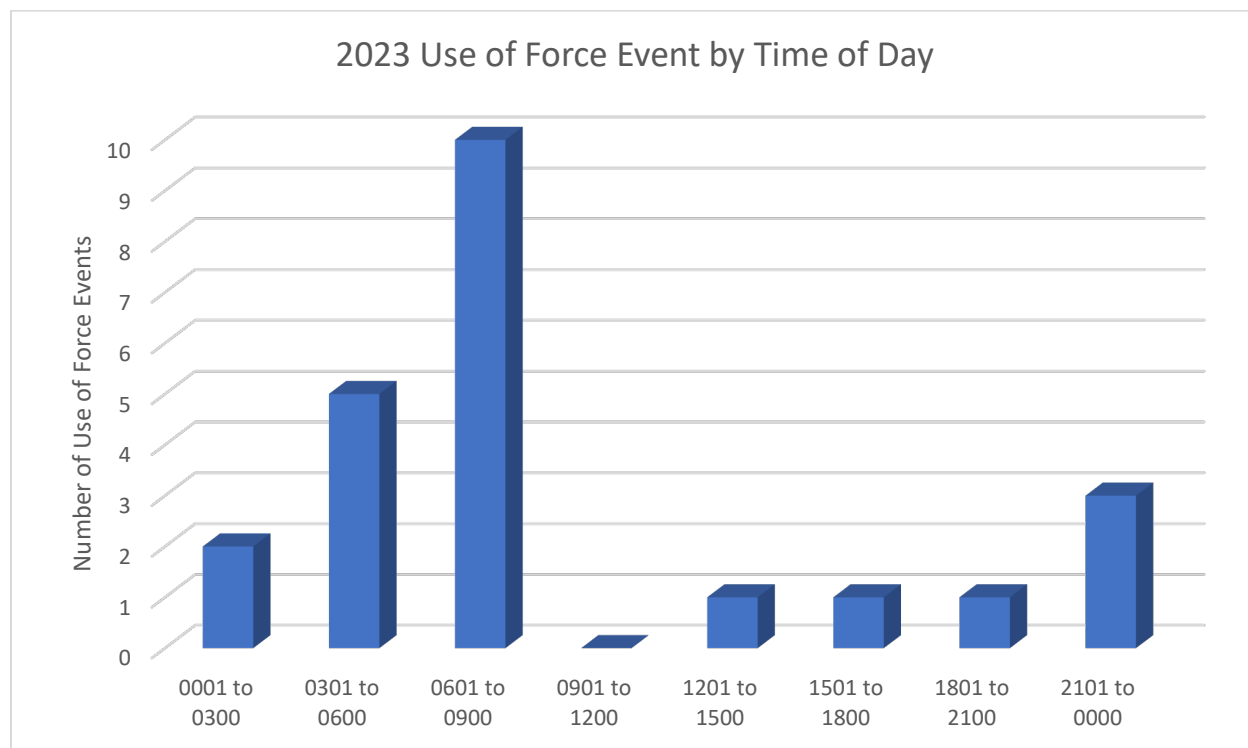
Use of Force Events by Day of Week



During 2023, the day of the week with the highest number of force events was Saturday with six. Sunday and Thursday each had five, while Tuesday had none. The remaining days had either two or three events.

Since our force analysis reporting began in 2017, this particular data capture has varied widely. I could find no factors beyond mere chance that would impact the probability of days of the week and uses of force being statistically related to any significant degree.

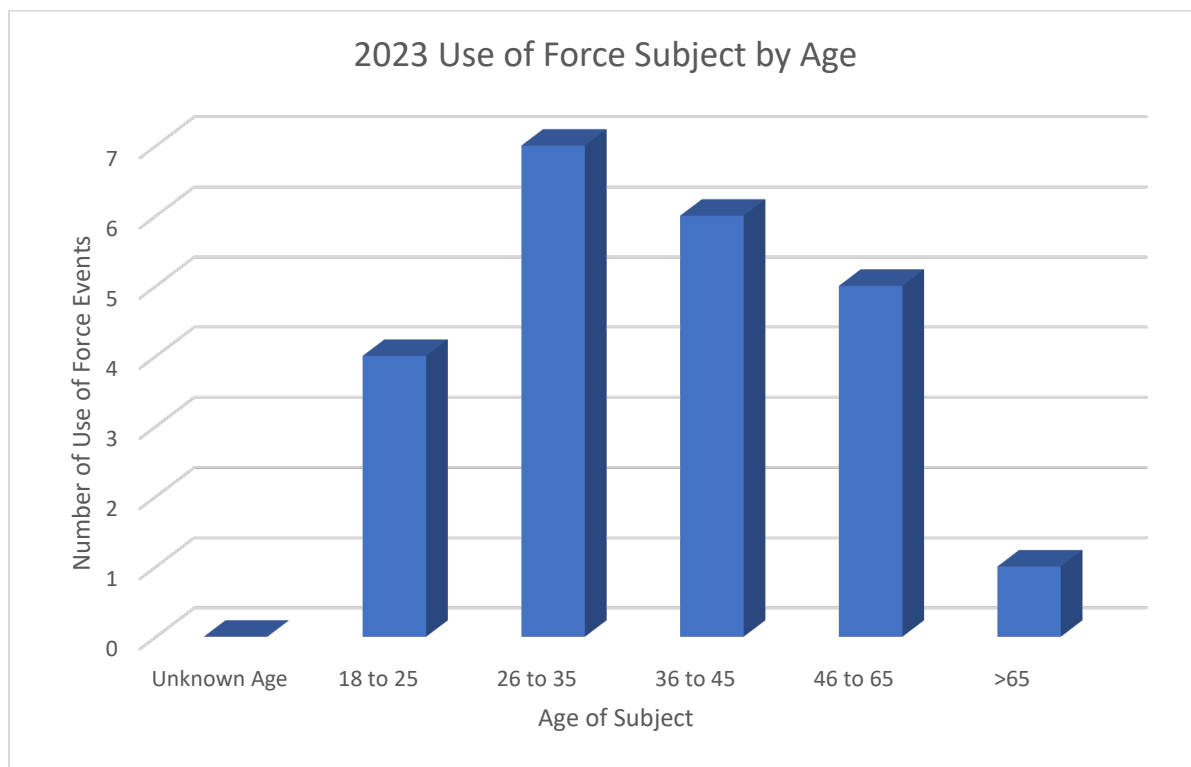
Use of Force Events by Time of Day



The six-hour period from 0301 to 0900 hours represents 25% of a day, but in 2023 bore 65% of the uses of force (15 of 23). Meanwhile, the time period from mid-morning to mid-afternoon had only one use of force.

Uses of force occurred most frequently during inclement weather months. Furthermore, those who trespass within the airport are disproportionately present during the late night and early morning hours when officers contact them either spontaneously in the field or pursuant to a dispatched call for service. These facts may be partially determinant of our use of force statistics related to time of day.

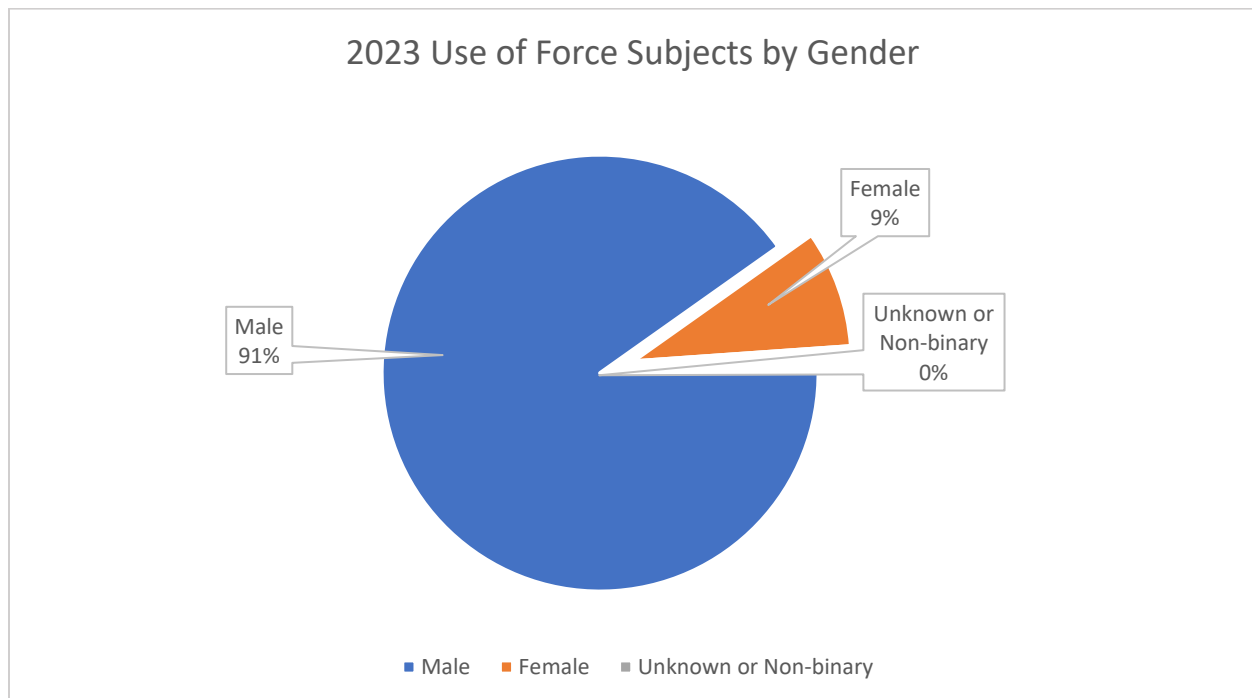
Use of Force Events by Age of Forcee



The 23 subjects on whom reportable force was used in 2023, ranged in age from 20 to 68. There were four subjects who fell within the 18-25 age bracket, seven within the 26-35 age bracket, six within the 36-45 age bracket, five within the 46-65 age bracket, and one who was 68 at his time of arrest. 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 related to the age of a subject whenever force was used by our department members.

Use of Force Events by Gender



Of the 23 use of force events that occurred in 2023, reportable force was used on 21 men and 2 women.

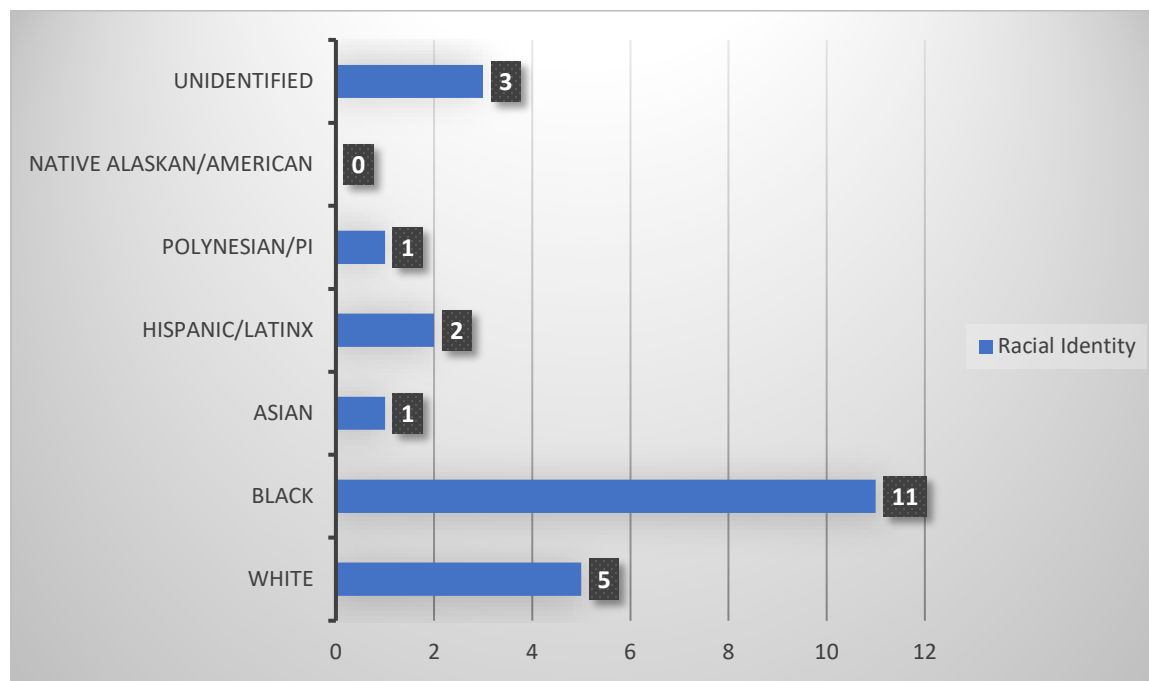
There were no known incidents in which force was used on a transgender man or woman or on a non-binary person.

The fact that our department members used force on a much higher percentage of men (91%) than women (9%) is consistent with national norms relating to men more often engaging in criminal activity and 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 a third of 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/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 23 subjects on whom force was used in 2023, 22% were White, 48% were Black, 4% were Asian, 9% were Hispanic/Latinx, 4% were Polynesian/Pacific Islander, no one identified as Native Alaskan or Native American, and 14% were not identified racially.

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 relevant population are needed. Unfortunately, attempting to ascertain accurate area demographics for our purposes as they relate to race is challenging.

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

- Most people who are the subjects of use of force events accessed the Port's property from the local area for reasons other than air travel or other legitimate purposes.
- The cities of Burien, Tukwila, and SeaTac—three jurisdictions that border our airport—have robust refugee programs. This increases our area's racial diversity compared to that of other portions of King County.
- According to the 2020 census, 82% of SeaTac's residents are persons of color.
- Of the 23 subjects upon whom force was used while at the airport or surrounding Port properties, only two were legitimately at the airport or on other Port property for travel or official business.

When considering the racial demographics of the airport's surrounding population, the data does not indicate that our officers are making contact or use-of-force decisions based upon race.

RECOMMENDATIONS

Overall, our department continues to have very few reportable force events. In 2023, the department saw an 18% increase in person-to-person contacts from 13,375 in 2022 to 15,841 contacts and 23 associated uses of force. Statistically, a tenth of one percent of all in-person POSPD contacts resulted in the use of force. When looking at the 1,093 arrests our officers made from 15,841 contacts, just 2% of those arrests involved the use of force.

Recommendations are for the continuation of vibrant training and fitness programs, reporting and review policies, and the quality maintenance of our professional tools.