



NATIONAL CITY POLICE DEPARTMENT

**Use of Force/Injured Officers/ Internal
Affairs Statistical Report**

2021

Jose Tellez, Chief of Police

TABLE OF CONTENTS



	PAGE
I. INTRODUCTION/ NATIONAL CITY CRIME STATISTICS.....	2-4
II. USE OF FORCE POLICY.....	5-9
III. USE OF FORCE REPORT (DATA).....	10-13
IV. USE OF FORCE REVIEW / I.A. REPORT (DATA).....	14-17
V. OFFICERS INJURED IN USE OF FORCE REPORT (DATA).....	18
VI. RECOMMENDATIONS/CONCLUSION.....	19



I. INTRODUCTION

For the City of National City and the world alike, 2020 and 2021 was a challenging and unprecedented time. The global health pandemic, the large-scale civil unrest, and the impact of critical reforms to the criminal justice system, combined with a massive reduction in funding and resources continues to reshape the manner in which the National City Police Department (NCPD) provides public safety. Despite these and other challenges, the NCPD maintains an unwavering commitment to intelligent, effective, and fair policing, and continually strives to bolster and expand collaboration and partnerships that reduce the impact of crime and violence citywide.



During the last thirty years, the NCPD has utilized its Neighborhood Policing crime-fighting philosophy and a highly successful precision policing strategy to intently focus on reducing violence while simultaneously building trust and strengthening relationships in every National City neighborhood. The success of these efforts, largely attributed to dedicated personnel, innovative programs, enhanced training, improved resources, and technological advances, is built upon a foundation established decades ago when the NCPD, seeking to improve public safety and reduce the number of homicides within the city, began investing in “community partnerships” with shareholders within the City. That was the 1990’s and although policing in National City was a vastly different experience than it is today, the development of partnerships with community shareholders (faith based groups, business groups and city neighborhood councils) altered the department’s use of force, both in procedure

and in practice. The impact of these relationships continues to be influential today, as evidenced by evolving and well-defined force policies.



The remarkable progress by members of the NCPD to reduce the amount of violent criminal activity is confirmation of the department's profound commitment to improving the safety

and welfare of everyone who lives in, works in, and visits National City. It builds upon the strength of effective policies, the significance of innovative training, the necessity of critical incident preparedness, and the value of personnel dedicated to the department's mission. Moreover, it is an affirmation of the highest standards of professionalism, restraint, and respect for life. While use of force including the use of deadly physical force, is sometimes necessary, the statistics clearly indicate that members of the NCPD seldom use force, and that they exercise substantial restraint if, and when, they do use force.

The **USE OF FORCE POLICY** portion of this report contains how we developed NCPD's Use of Force Policy and what laws, both federally and state, affect the development of the policy that National City Police Officers are guided by when applying use of force.

The **USE OF FORCE REPORT (STATISTICS)** section of this report addresses the use of force data for the years 2019, 2020 and 2021. The data includes the type of force used by police officers. By providing this information to the public, we hope to show how infrequently officers use force when compared to the number of calls for service and officer initiated police activities. Included within this section is the number of calls for service from the community in 2019, 2020 and 2021.

The **USE OF FORCE REVIEW** portion of this report explains the Use of force review which is an internal oversight mechanism for maintaining the integrity of the department's Use of Force Policy.

The **OFFICERS INJURED IN USE OF FORCE REPORT (STATISTICS)** part of this report contains the number of officers who were injured during the course of their duties when use of force was used to gain compliance from a person who was being apprehended or detained.

The **INTERNAL AFFAIRS REPORT (STATISTICS)** portion of this report shows statistical information from the Internal Affairs Unit. Internal Affairs is the central point for investigating complaints of alleged employee misconduct. The Internal Affairs Unit prides itself in its ability to conduct fair, thorough and impartial internal investigations. This collection of data includes the number, types and disposition of investigations. The Department believes that this information helps the public understand that police personnel are held accountable for inappropriate actions.

Lastly, the **CONCLUSION** provides the findings of the report to give insight on the levels of use of force reports, to the numbers of officers injured during these encounter and how these two events reflect on Internal Affairs Investigationsthat were initiated/generated throughout the three years.

LEGEND FOR ACRONYMS:

- **CFS** = CALLS FOR SERVICE
- **UOF** = USE OF FORCE
- **OIS** = OFFICER INVOLVED SHOOTING
- **IA** = INTERNAL AFFAIRS
- **CC** = CITIZEN COMPLAINT

NATIONAL CITY CRIME STATISTICS 2019 – 2021

	2019	2020	2021
Homicide	0	4	3
Rape	25	19	18
Robbery	128	99	89
Assault (excluding Simple Assault)	204	229	258
Residential Burglary	59	46	48
Commercial Burglary	56	93	76
Larceny	735	760	840
Motor Vehicle Theft	274	261	314
Arson	3	1	8



II. NCPD USE OF FORCE POLICY

LEGAL STANDARDS REGARDING USE OF FORCE: Police officers, both in the State of California and across the country, are authorized to use reasonable force when encountering specific circumstances. Federal and state law define the standards of these circumstances and determine the amount of reasonable force.

The Constitutional standards for police use of force were established as a result of two U.S. Supreme Court cases, *Tennessee v. Garner*, 471 U.S. 1 (1985) and *Graham v. Connor*, 490 U.S. 386 (1989). *Garner* set forth the standard governing the use of deadly force, namely that officers may use deadly physical force when there is probable cause to believe that the subject poses a significant threat of death or serious physical injury. *Graham* established that the review of an officer's use of force must be conducted with an objective reasonableness standard. The Court wrote that "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 hindsight."

NEW LAWS INFLUENCING NCPD'S USE OF FORCE

Assembly Bill 26 - Peace officers use of force. This law requires each law enforcement agency, on or before January 1, 2021, to maintain a policy that provides a minimum standard on the use of force. Existing law requires that policy, among other things, to require that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be unnecessary, and to require that officers intercede when present and observing another officer using force that is clearly beyond that which is necessary, as specified.

This bill requires those law enforcement policies to require officers to immediately report potential excessive force, as defined. The bill additionally requires those policies to, among other things, prohibit retaliation against officers that report violations of law or regulation of another officer to a supervisor, as specified, and to require that an officer who fails to intercede be disciplined up to and including in the same manner as the officer who used excessive force. By imposing additional duties on local agencies, this bill would create a state-mandated local program.

Assembly Bill 48 – Law Enforcement Use of Force. This bill prohibits the use of kinetic energy projectiles or chemical agents by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance with specified standards set by the bill, and prohibits their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive.



The bill would include in the standards for the use of kinetic energy projectiles and chemical agents to disperse gatherings the requirement that, among other things, those weapons only be used to defend against a threat to life or serious bodily injury to any individual, including a peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control. The bill would define chemical agents to include, among other substances, chloroacetophenone tear gas or 2-chlorobenzalmalononitrile gas. The bill would make these provisions inapplicable within a county jail or state prison facility.

This bill requires each law enforcement agency, within a specified timeframe, to post on their internet website a summary, as described, of any incident in which a kinetic energy projectile or chemical agent is deployed by that agency for the purpose of crowd control. The bill requires the Department of Justice to provide a compiled list of links to these reports on its internet website.

Assembly Bill 490 - Law enforcement agency policies: arrests; positional asphyxia.

This law authorizes a peace officer to make an arrest pursuant to a warrant or based upon probable cause, as specified. Under existing law, an arrest is made by the actual restraint of the person or by submission to the custody of the arresting officer. Existing law authorizes a peace officer to use reasonable force to effect the arrest, to prevent escape, or to overcome resistance. This law prohibits a law enforcement agency from authorizing the use of a carotid restraint or a choke hold.

NCPD policy emphasizes the value of human life, the utilization of reasonable force, and the employment of less lethal alternatives. It places a priority, whenever possible, on de-escalation. Prior to this bill taking effect in (2021), NCPD had already prohibited the use of the carotid restraint in 2020.

Use of force, in this context, is broadly defined to encompass a wide range of force options that may be employed to gain compliance or to ensure the control of a subject. In the vast majority of encounters, police achieve compliance by merely utilizing verbal commands. When those commands, however, are insufficient and a subject chooses to ignore instructions or resist, officers may use an array of force options in order to compel a subject to submit to lawful authority. NCPD policy states that “when appropriate and consistent with personal safety, members of the service will use de-escalation techniques to gain voluntary compliance from a subject to reduce or eliminate the necessity to use force. In situations in which this is not safe and/or appropriate, members of the service will use only the reasonable force necessary to gain control or custody of a subject.”

Force options include, physical force, less-lethal options (e.g., OC spray, TASER, canine, or impact weapons), to deadly physical force, when justified by the threat of violence. It is not required that officers move sequentially from one level of force to the next and, as such, officers may, for instance, escalate from verbal commands to pointing a TASER or de-escalate from a threatened use of force or the actual use of force to verbal commands as situations evolve.



Senate Bill 230 Law enforcement: use of deadly force: training: policies

1. Heightens California’s requirements for employing deadly force when confronting a fleeing felon to meet and exceed the standards set by the U.S. Supreme Court in *Graham v. Connor* and *Tennessee v. Garner*.
2. Requires the over 500 law enforcement agencies in California to include provisions in their use-of-force policy that provide comprehensive and clear guidelines on the utilizing de-escalation tactics, proportionality, alternatives to deadly force, rendering medical aid, an officer’s duty to intercede when observing excessive use of force, interacting with vulnerable populations, reporting requirements and more. Statistics regarding use-of-force policies for 91 of the largest police departments in the United States show the significance of these changes below:

- a. Only 30 of the 91 largest police departments in the nation require an

- officer to intervene to stop another officer from using excessive force. –
- b. Only 34 of the 91 largest police departments in the nation require officer to deescalate situations, when possible, before using force. –
 - c. Only 15 of the 91 largest police departments in the nation specify detailed reporting requirements.

3. Standardizes California law enforcement's use of force training to ensure each course covers critical topics, including but not limited to de-escalation, rendering medical aid, and the legal standards for use of force

DEFINITIONS OF FORCE OPTIONS

DE-ESCALATION - Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, or/and resources can be called upon to resolve the situation without the use of force or without the reduction of force necessary

ARREST AND CONTROL - Defensive tactics are those physical techniques intended for use when weapons are not available or their use is inadvisable or unreasonable under the circumstances.

IMPACT WEAPONS - include the use of batons, and flashlights as a means of delivering a strike to a subject.

LESS LETHAL - includes the use of non-lethal chemical agents like OC pepper spray and pepper ball launcher. Other less lethal weapons include the use of the 12 gauge bean bag, sting ball grenades, 37 mm and 40 mm launcher, single shot, shoulder fired weapons and Tasers.

LETHAL FORCE - Is the intentional discharge of a firearm or other force that causes death or serious bodily injury.

CANINE - Is a tool that is used by a K-9 handler to apprehend fleeing or combative subjects.

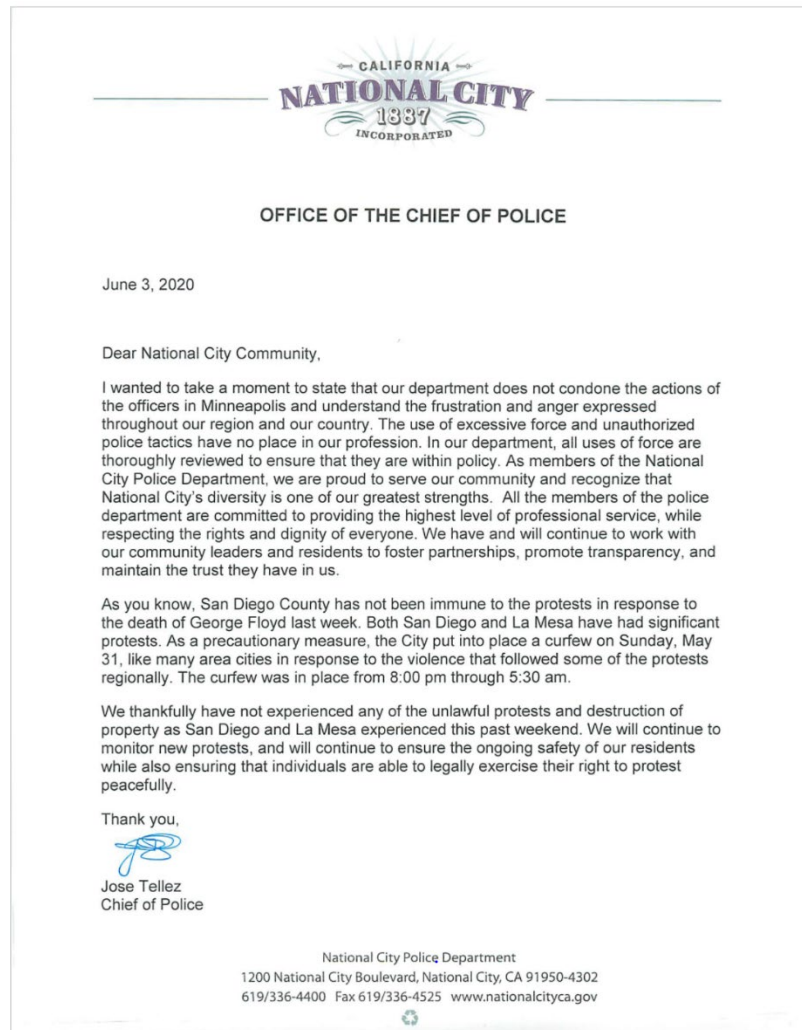
CONTROL HOLD - Includes grab, push or pull, pressure points techniques.

OTHER - Includes all other force options not listed above, such as the use of a cord cuff restraint or hand and foot strikes.

***NOTE: The National City Police Department prohibits the below use of force options:**

VASCULAR NECK RESTRAINT (LVNR) - A technique used to incapacitate individuals by restricting the flow of blood to their brain.

CHOKE HOLD - A physical maneuver or technique used to restrict an individual's ability to breathe for the purposes of gaining control by incapacitation.



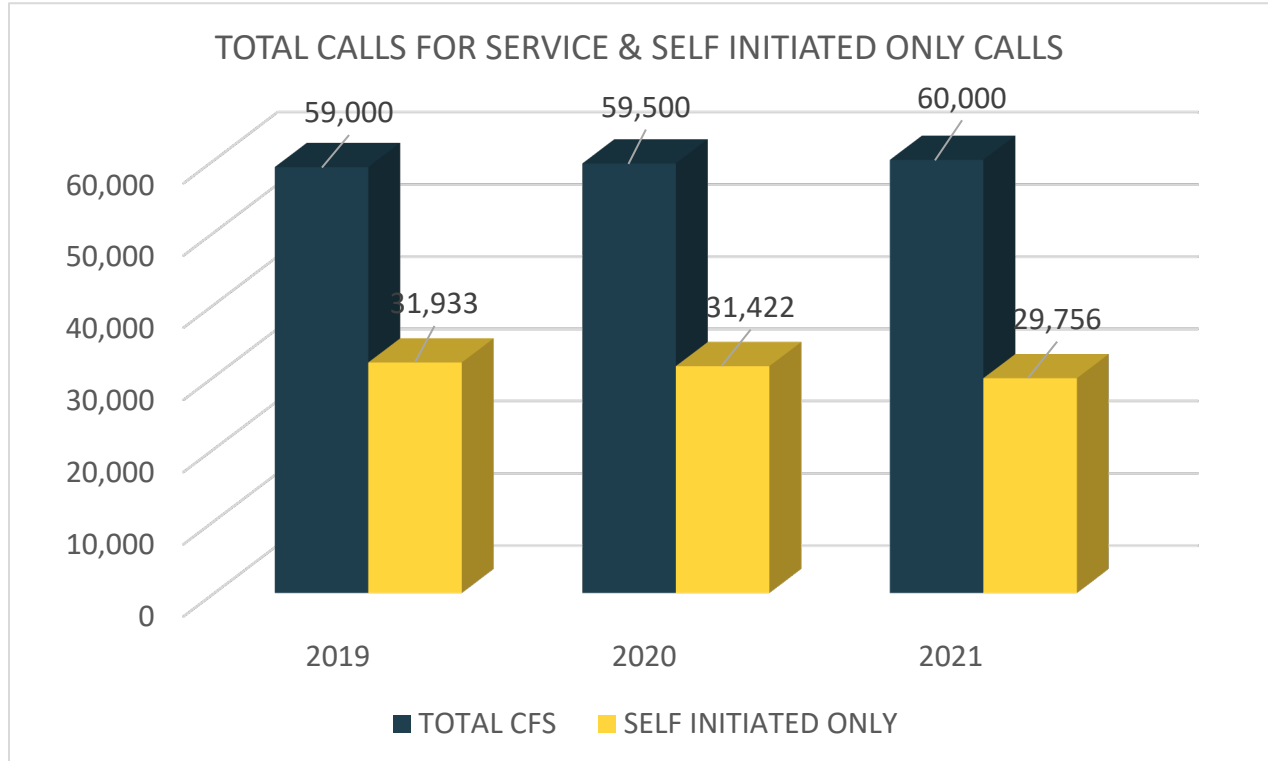


III. USE OF FORCE REPORT (DATA)

The following table depicts the types of force used by the National City Police Department. Please note that the use of force totals may include scenarios where several uses of force were utilized during one incident and on the same suspect. This occurs when officers use one technique that was not effective.

Overall Activity and Use of Force Incidents

YEAR	TOTAL NUMBER OF CALLS FOR SERVICE	SELF-INITIATED ONLY
2019	58,677	31,933
2020	59,420	31,422
2021	59,672	29,756



How does an officer become involved in a use of force incident? An officer either responds to a call for service or makes an observation requiring lawful action. It is important to look at the overall Department activity compared to the number of force incidents.

Department activity is categorized and tracked as either calls for service or officer initiated activity. A call for service is a request from a member of the public or another agency for public safety services. Officer initiated activity results from an officer's own initiative or observation and does not require a request from the public or another agency.



Examples include: traffic stops, field interviews, transports, or other situations observed by the officer.

Another category of statistics is comparing the number of arrests made. An arrest is police activity that poses a high risk/high frequency of potential harm to the officer due to the subject's resistance during the encounter.

The following table compares overall activity and arrests with total number of use of force incidents. Use of Force totals reflect the number of incidents in which force was used.

YEAR	CALLS FOR SERVICE	USE OF FORCE	ARRESTS	COMPLAINTS
2019	58,677	64	2,544	17
2020	59,420	85	2,221	5
2021	59,672	190	1,970	9

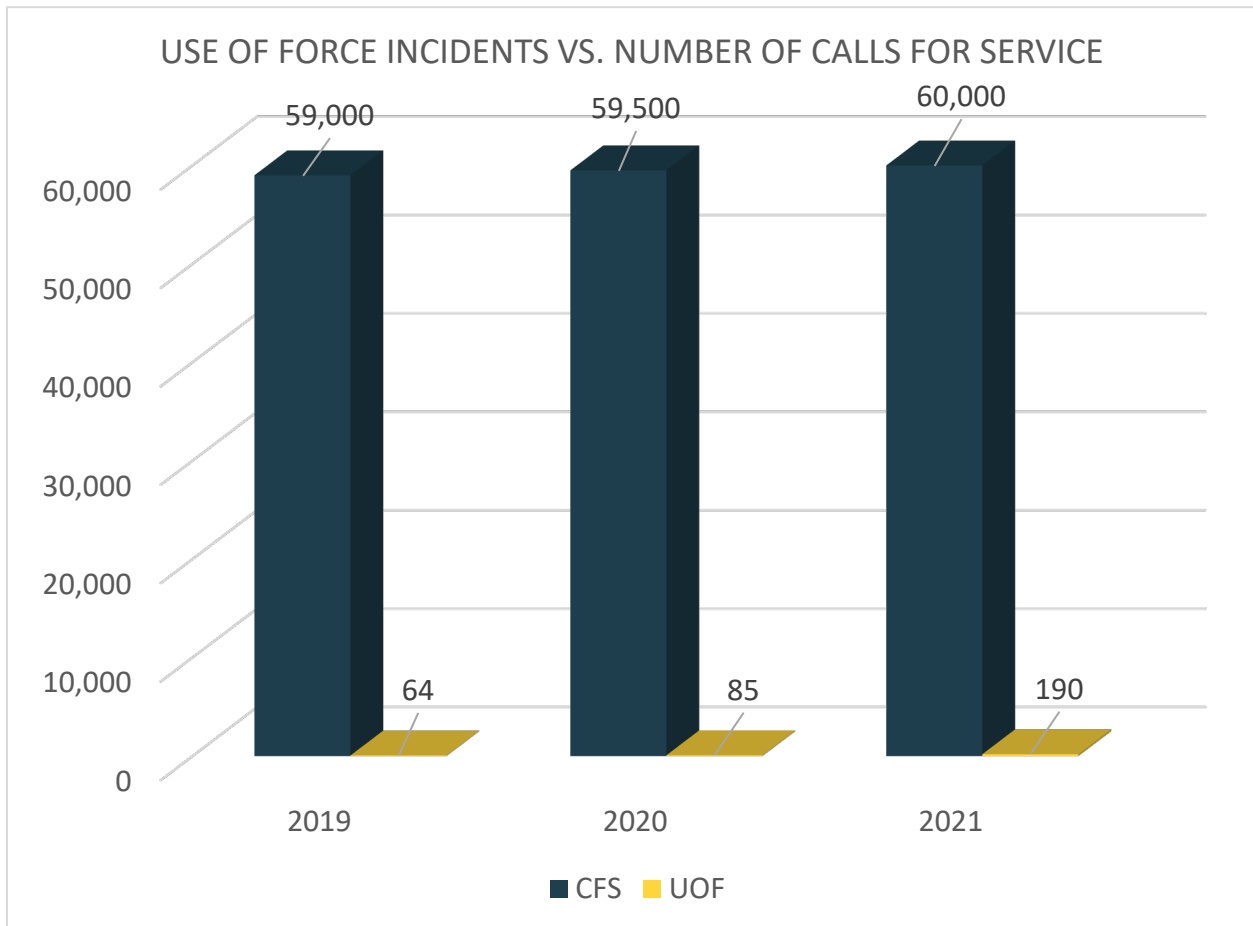
Breaking Down The Use Of Force Data:

What percentage of time is force used in calls for service (including self-initiated calls)?

NCPD Officers used force .0010% in 2019, .0014% in 2020 and .0031% of the time in 2021 when responding to calls for service.

YEAR	# OF CFS	# OF UOF INCIDENTS	% OF TIME FORCE WAS USED
2019	58,677	64	.0010%
2020	59,420	85	.0014%
2021	59,672	190*	.0031%

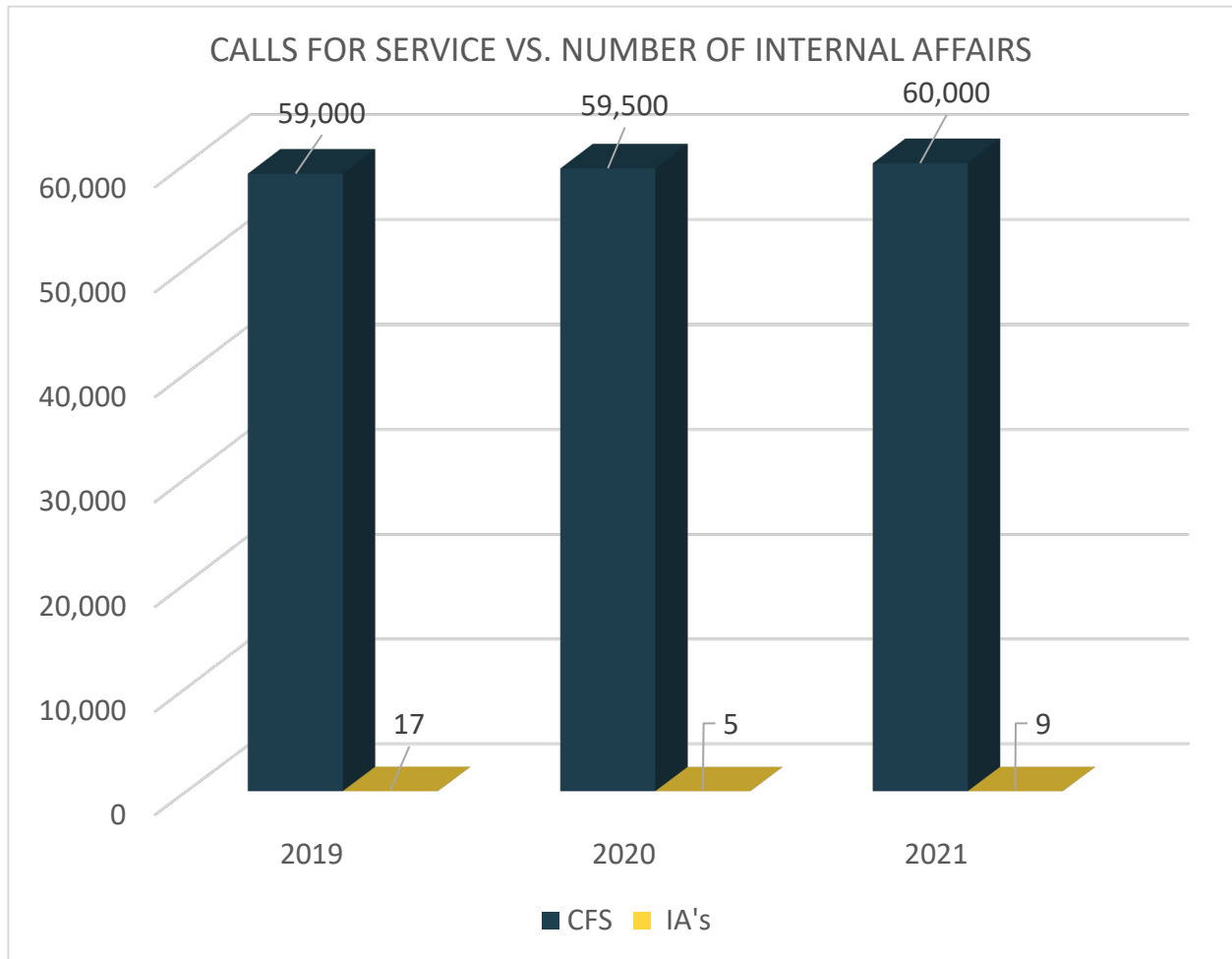
*The increase noted regarding the pointing of a firearm increased due to legislative mandate requiring tracking/reporting



Breaking Down The Use Of Force Data Continued:

NCPD Officers generated citizen complaints/Internal affairs complaints .00028% in 2019, .00008% in 2020 and in 2021, .0001% when responding to the total calls for service to include self-initiated calls.

YEAR	# OF CFS	# OF IA's INITIATED	% IA CASES INITIATED
2019	58,677	17	.00028%
2020	59,420	5	.00008%
2021	59,672	9	.0001%





IV. USE OF FORCE REVIEW / I.A REPORT (DATA)

The Use of Force Review is routed up the chain of command from line-level sergeants to watch commanders to the captains and finally the Chief of Police. Use of force review is an oversight mechanism for maintaining the integrity of the department's force policy. Composed of executive staff members, this collective of supervisors, review the most serious force cases and renders determinations regarding the actions of members of the department during force encounters. When applicable, use of force incidents are referred to the Internal Affairs Division for investigation.

Training

Department training serves as the foundation for officers' critical decision process. Training curricula are evaluated and, if necessary, revised due to the analysis of use of force data, changes in city or state legislation, and enhancements in the tactical or technological field. Department training is based on Federal and State laws passed by lawmakers and by the California Peace Officers Standards and Training (P.O.S.T.) entity at the State level.

Training Unit



The Training Unit oversees NCPD training and educational programs, providing recruits, uniformed members, and non-sworn/professional staff with the most up-to-date academic, tactical, and technological training available. In-service training for members includes sessions on the latest tactics, de-escalation strategies, mental illness/drug addiction, Psychiatric Emergency Response Team (PERT), Mobile Crisis Response Team training (MCRT), and changes in the law and police procedure, as well as ways to positively interact and collaborate with community members. In 2021, use of force related training for

recruits attending the Police Academy included academic lessons, physical training and tactical instruction. Academically, recruits are required to successfully complete the Use of Force learning domain. With a focus on circumstances requiring force, de-escalation, and approved force options, this learning domain was revised in 2020-2021 (with the passing of several California Senate and Assembly Bills) to include legal updates on medical attention requirements for arrested subjects, unlawful methods of restraint, and strangulation laws.

Recruits apply these lessons in realistic situations during Scenario Based Training in order to evaluate and determine the proper selection of de-escalation techniques and any necessary force options. Consolidating existing legal issues and department policy with evolving best practices and tactics provides an optimal learning experience to recruits who, upon graduation, will serve in a patrol officer capacity which includes a high volume of public engagement and interaction.

The physical and tactical training curriculum that recruits experienced included several force-related courses of instruction. Among these were the Use of Force course and Use of Force Case Law, in which recruits were trained on use of force options under varying circumstances and provided with the ability to streamline use



of force decision making, respectively. Consistent with existing law and department policy, recruits were trained and certified in the use of both firearms and less lethal weapons and received approximately 50 hours of physical training encompassing various force tactics including strikes, takedowns, defensive drills, handcuffing, and the Critical Decision Making Model. This will be the training all recruits will receive from this point forward.

In-Service Training

As part of the department's committed focus on enhanced training for in-service members, several force-related courses of instruction were provided to members

during in-service training in 2021. These include a tactical refresher course, initiated in response to legislative changes, highlighting force options, member conduct, medical attention requirements for arrested subjects, unlawful methods of restraint, the right to record, and strangulation laws. Additional in-service training related to force consisted of civil disorder training, certification and recertification of firearm qualifications and less lethal weapon qualifications, supervisory instruction on force reporting requirements, and a mandatory department-wide video detailing the proper application of force permitted to be utilized by members of the service.

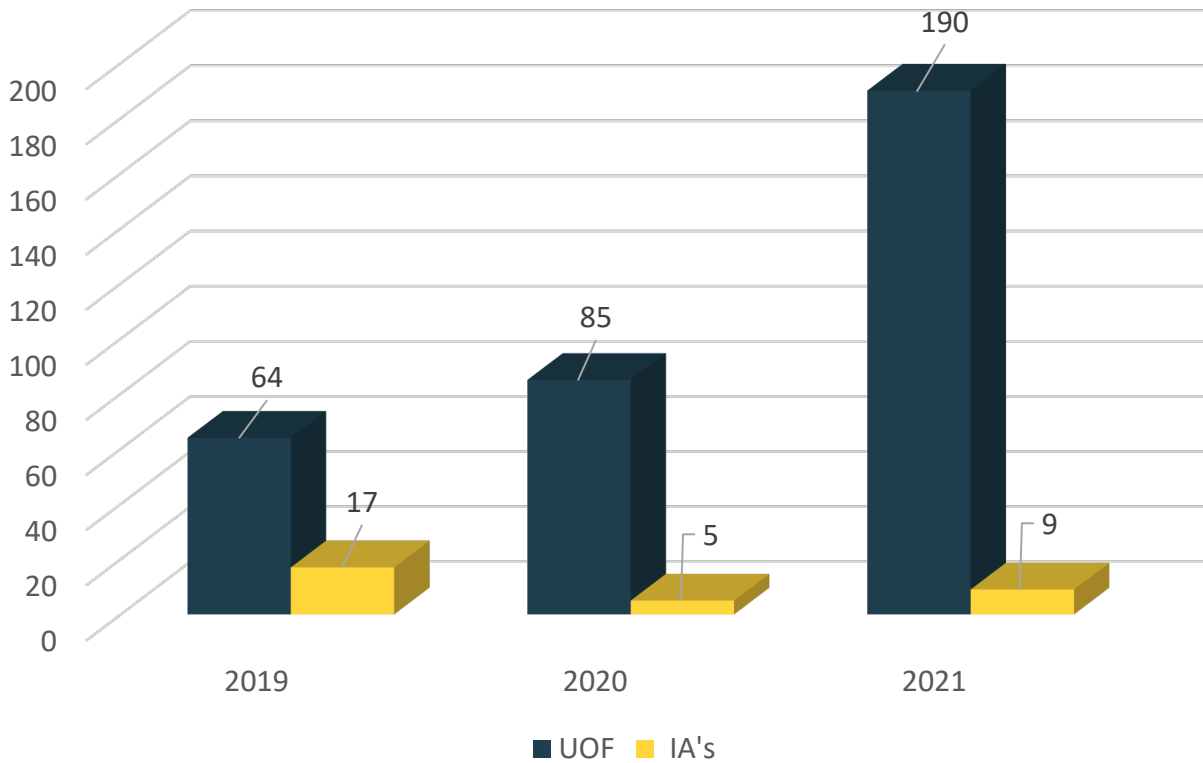
Use of Force Option Breakdown:

The following table depicts the types of force used by the National City Police Department. Please note that the use of force totals may include scenarios where several uses of force were utilized during one incident and on the same subject. This occurs when officers use one technique that was not effective

Force Option	# of Times Used			% of Total		
	2019	2020	2021	2019	2020	2021
Defensive Tactics	50	47	63	78%	55%	33%
12 Gauge (Bean Bag)	1	1	3	2%	1%	2%
Flashlight	0	1	1	0%	1%	1%
37/40mm(beanbag/chemical agent)	0	0	0	0%	0%	0%
Baton	2	0	0	3%	0%	0%
Firearm	0	0	1	0%	0%	1%
OC pepper spray	1	0	2	2%	0%	1%
Canine	1	6	6	2%	7%	3%
Taser	8	8	11	13%	9%	6%
LVNR * (County-wide Use Ban 2020)	0	0	0	0%	0%	0%
Pepperball	1	1	3	2%	1%	2%
Control Hold	0	2	0	0%	2%	0%
Other	0	3	0	0%	4%	0%
Pointing a Firearm* (Mandated Reporting 2021)	0	16	100*	0%	19%	53%
Total Uses	64	85	190	100%	100%	100%
Total Overall Increase/Decreases (2020 vs. 2021)	124%					

*The increase noted regarding the pointing of a firearm increased due to legislative mandate requiring tracking/reporting.

USE OF FORCE INCIDENTS VS. NUMBER OF INTERNAL AFFAIRS INITIATED



USE OF FORCE INCIDENTS COMPARED TO INTERNAL AFFAIRS INVESTIATIONS	2019	2020	2021
TOTAL NUMBER OF USE OF FORCE INCIDENTS	64	85	190
TOTAL NUMBER OF INTERNAL AFFAIRS INVESTIGATIONS	17	5	9




V. OFFICERS INJURED IN USE OF FORCE REPORT (DATA)

In 2019, 2020 and 2021, National City Police Officers were injured at a fair high rate. In 2019, there were 11 injured, 2020 there were 15 officer injured and in 2021 there were 14 officers injured during the course of an arrest or UOF encounter, the majority of these injuries required medical treatment.

Trends and patterns for these incidents are:

- Calls resulting in Assault on a Police Officer stemmed from both dispatched calls for service and officer initiated contacts or investigations.
- A majority of the incidents required medical treatment for the officer as a result of injury.
- Most incidents mentioned below occurred during a stop or an arrest of a subject.
- Prior to the detention or stop, most of the subjects displayed some type of fight or flight behavior.
- Continued defensive tactics training, CIT training, and de-escalation training in multiple officer arrests and detentions could help officers prepare for these cases.
- Future Use of Force Analysis reports will assist in seeing trends and patterns

	2019	2020	2021	Total
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Officers Injured	11	15	14	40
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VI. Recommendations/Conclusion

Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

The Department hopes that COVID-19 subsides enough in the coming year so that training opportunities will increase.

We also plan to continue Body Worn Cameras (BWC) usage in 2021 and will analyze whether BWC use has any impact on use of force. We expect that the use of BWC's will result in a reduction in Use of Force as the mere presence of a camera may deter combative/assaultive/resistive behavior by suspects, resulting in a lesser need by Officers to use force in arrest situations. BWC also provides a level of accountability by officers to ensure transparency and public trust.

In conclusion, an increase of crime likely contributed to the dramatic increase in use of force in the "pointed firearms" category incidents (as detailed in the previous table and graph), subsequent to the implementation of Assembly Bill 26 which requires the "pointing of firearm" at someone constitutes a use of force.

Additionally, with more violent offenders and offenses, a correlation to certain higher response levels, such as pointing firearms, is to be expected as is the number of officers injured during use of force events. In 2019, 2020 and 2021, it appears based on the data from the use of force report and the internal affairs report, officers are adhering to state UOF legislature and department policies and are using force appropriately and only when necessary.