



TASERs: Evaluation and Statistical Analysis

Prepared for:
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Office of Professional Standards
Minneapolis Police Department

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Executive Summary

Since 2001, the Minneapolis Police Department (MPD) has used Tasers as an efficient tool to more effectively deal with violent subjects and as a means of de-escalating potentially deadly situations. The number of Tasers issued to patrol officers has increased from 50 in 2003 to approximately 200 trained and equipped operators today. Actual uses of Tasers (deployments) have risen even more dramatically during this time as more officers are trained and equipped and as those officers become more comfortable using this tool and realize its effectiveness. In 2006, Tasers were used by MPD officers 232 times. This is up 75% from 2005. Taser use on a national level by police departments is also on the rise. This is largely due to Taser's effectiveness in reducing citizen complaints, reducing injuries to suspect and officer, and reducing civil litigation costs associated with lawsuits and settlements.

Prior to being issued a Taser, an MPD officer undergoes extensive training on its use and function. Additionally, the MPD has very strict policies governing the use of Tasers that officers are trained on and familiarized with prior to being issued a Taser. Ongoing yearly training is also required to remain Taser-certified. The MPD currently has full time staff dedicated to implementing and monitoring our Taser program and to training our officers.

Even with the dramatic increase in numbers of Tasers carried by officers and actual use (deployments), citizen complaints from Taser use are almost non-existent. Since 2003, there have been **no** citizen complaints made to Internal Affairs based upon Taser use, while the Civilian Review Authority (CRA) has had only three complaints resulting from Taser use during this time. No discipline was issued in any of these incidents.

While use of traditional force by MPD officers results in injury to the subject 43% of the time and to the officer 11% of the time, when Tasers have been used injury to the subject resulted in only 5.8% of the cases. No injuries to the officer have been reported while using a Taser to control a subject. This fact is significant. Workers compensation and injury on duty costs to the MPD have historically been high. In 2005, workers compensation costs to the MPD as a result of officer injury amounted to over \$160,000. Most of these injuries have been a result of officers making arrests who receive bone fractures and other injuries as result of using force. Many of these injuries could have prevented with the effective use of a Taser. This is because a Taser largely eliminates the need to get into a protracted physical interaction with a suspect. In 2006, while actual uses of Tasers rose significantly, MPD workers compensation costs were reduced to just over \$35,000. We believe that the issuance of additional Tasers may continue to keep these costs down and further reductions are also likely.

Nationally, many police departments have begun to issue Tasers to all officers. The MPD is also moving in this direction. There are several examples of similar successes that can be noted. In Cincinnati, Ohio, Tasers have been deployed

department-wide. In the first twelve months, Cincinnati PD noted a 56% decrease in injuries to officers compared to the previous twelve month period without Tasers. They also saw injuries to suspects decrease 35% during the same time period.

There has been much discussion and study regarding Tasers and their physiological effects on subjects. Through all of this debate, Taser use has not been positively linked to any cardiac or respiratory problems. In fact, two recent national studies completed by Dr. Jeffrey Ho of HCMC here in Minneapolis found that even repeated use of Tasers on a subject had no affect on either respiratory or cardiac processes of subjects.

Another area of significance is that of civil costs associated with use of force by MPD officers. While traditional uses of force have resulted in significant costs to the City of Minneapolis from lawsuits and settlements, Tasers have resulted in very few. **Since 2003, there have been 88 police misconduct lawsuits filed as a result of use of force by MPD officers totaling over \$4.6 million in settlements. By contrast, during this same period, there has been only a single documented lawsuit based in part upon Taser use which resulted in a \$35,000 settlement.**

Lastly and probably most importantly, we can point to many successes that we have seen of the effective use of Tasers by MPD officers. This tool has saved lives of both police officers and suspects alike. These savings are immeasurable.

Our goal is to train and equip all MPD patrol officers with a Taser in the next two to three years. Although an initial and ongoing financial investment of funds is necessary, the evidence both within the MPD and nationally suggests that this investment may offer us significant savings into the future. It will help the MPD become a more professional agency and keep both our citizens and our officers safe.

Deputy Chief Scott Gerlicher
Minneapolis Police Department
Professional Standards Bureau

To: Deputy Chief Gerlicher
From: Leah Johnson
Date: 3/19/07
Re: Taser use in the MPD

In the course of evaluating the increased need for Tasers within the Minneapolis Police Department, several factors demand to be considered. These factors include the careful consideration of officer and public safety, as well as potential cost savings in both lawsuits and injured-on-duty (IOD) time.

Taser International claims that their research shows an inverse relationship between Taser usage and officer/subject injury reduction. Their brochures show that as Tasers replace other types of force in quelling situations, injury rates for both officers and subjects of force decrease substantially. In analyzing the limited data of the past four years of Taser use within the Minneapolis Police Department, we can conclude that our own data roughly supports that concept. That said, it is still worth noting that the MPD's record-keeping does contain holes, particularly in the years before mandated supervisor force reviews, and the data contained within this report must be viewed with that in mind.

The data contained in this report is the result of effort by many people, including Rico Rogers in Risk Management, Bertha Gabrish, Jennifer Rudlong, and Henrietta Vizenor in Human Resources, Karen Caron and Jim Moore in the City Attorney's Office, and our own files contained within the Internal Affairs Unit. Additional information from other jurisdictions is cited within the report.

Taser Characteristics, Purpose, and Use

The Taser is a technically advanced tool that gives a less-than-lethal option to police in various situations. This tool can be utilized in an array of circumstances from violent physical confrontations to subduing people who are attempting to harm themselves or others. This tool is a battery-powered, electronic device that utilizes the concept of muscle disruption, affecting the sensory and motor nervous system to overcome a threatening subject.

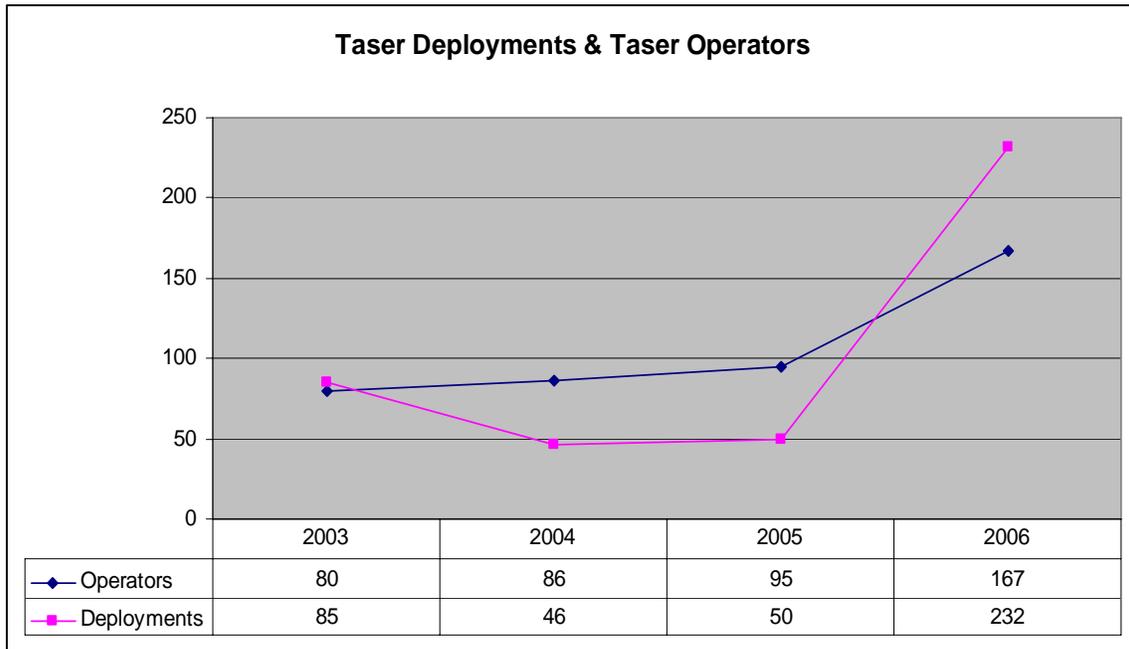
The Taser is laser-sited and, in its primary function, uses cartridges attached to the end of the barrel. When deployed, copper wires with small prongs are ejected from the cartridge over distances of 1-25 feet. The Taser delivers an electrical charge to the subject, causing him/her to tense up for the duration of the Taser cycle (five seconds).

The Taser can also be used without the cartridge in what is called a “drive stun” or “touch stun” function. In this mode, the Taser is pressed directly to the subject, delivering the same electrical charge for up to five seconds.

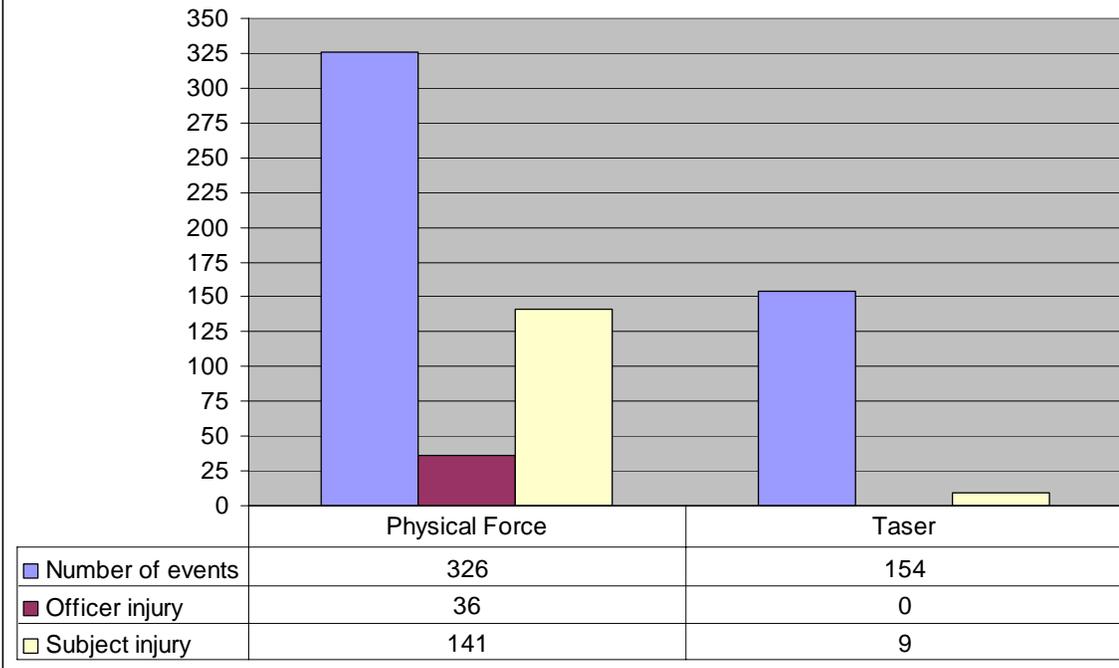
The effects of the Taser stop the moment the five second cycle is up. At this time, the subject has the option to follow the officer’s verbal directives for the suspect’s compliance. Once compliance is gained, the subject is taken into custody (handcuffed), the probes (if used) are removed, and a supervisor notified. Medical assistance is ordered when secondary injuries from the incident are present.

MPD Taser Deployments and Taser Operators: 2003-2006

	Operators	% change over previous year	Deployments	% change over previous year
2003	80	-	85	-
2004	86	+7.5%	46	-45.8%
2005	95	+10.4%	50	+8.7%
2006	167	+75.7%	232	+364%



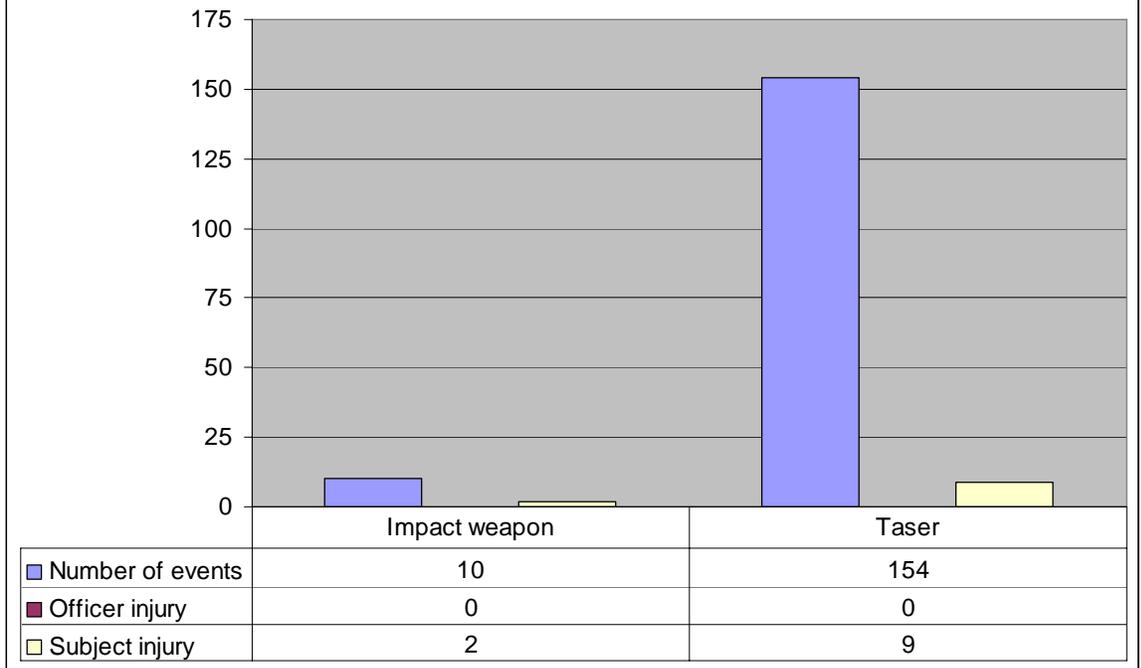
Physical Force vs Tasers & Injury (2006 data)



Of the 326 events where physical force was used, 43.2-percent of them resulted in injury to the subject. By contrast, **only 5.8-percent of the 154 Taser events resulted in subject injury** (greater than the superficial wound caused by the probe entry).

Of the 10 events where an impact weapon was used (either baton or improvised weapon such as a flashlight), 20-percent resulted in subject injury.

Impact weapons vs Tasers & Injury (2006 data)

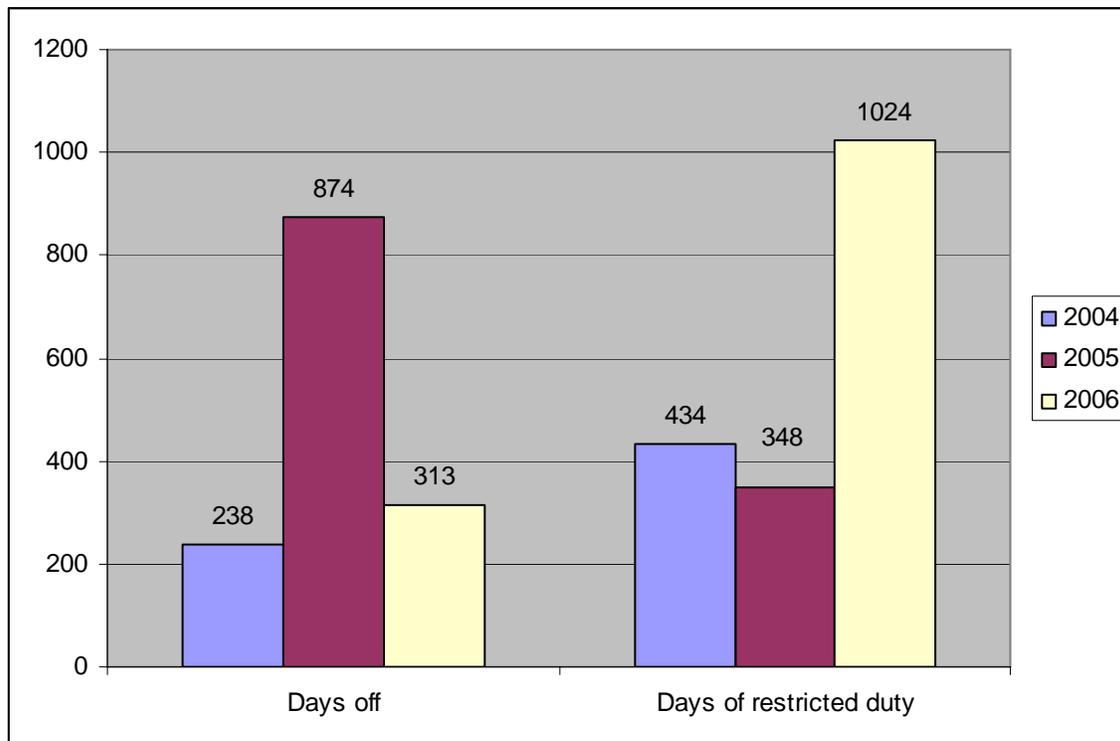


Workers Compensation Costs Associated with Use of Force Injury

	2004	2005	2006
Medical	23,461.11	117,417.7	34,060.56
Indemnity	2,995.52	43,453.73	1,327.88
Miscellaneous expenses	145.95	177.25	0
TOTAL	26,602.58	161,048.68	35,388.44

The large increase in costs in 2005 is due in part to several major injuries, including several wrist fractures, several shoulder injuries, a knee injury, and two stabbings. All of these injuries occurred in the course of making arrests.

Injured on Duty (IOD) Time and Light-Duty



The above information is from OSHA reports that are submitted on a yearly basis. It should be noted that not all injuries incurred on duty are the direct

result of use of force; however, this information does provide a benchmark for where the department stands and the trends of time lost as a result of injury. By incorporating Tasers into the department's array of use of force tools, we would expect to see a substantial reduction in IOD and light-duty time.

In fact, other departments that use Tasers have seen considerable reductions in officer injuries.

- The Cincinnati (Ohio) Police Department reports that injuries to officers have decreased 56 percent in the first 12 months of department-wide deployment compared to the last 12 months without Tasers.¹
- The Cape Coral (Florida) Police Department states that they have seen a 93 percent reduction in officer injury from 2002 (pre-Tasers) to 2004 (post-Tasers).²

Similar results have been seen with regard to suspect injury rates:

- Cincinnati PD reported 318 injuries during the time period from February 2003 to January 2004. From February 2004 to January 2005, they saw just 207 suspect injuries, a decrease of 35 percent.³
- Cape Coral PD has described a decrease of 68 percent in subject injury since the implementation of its Taser program.⁴

¹ Cincinnati Police Department. *Report to the Community*. Fall 2005. (Page 4.)
http://www.cincinnati-oh.gov/police/downloads/police_pdf13181.pdf

² Cape Coral Police Department. *M-26 Air-Taser Program Evaluation*. Captain Bart Connelly. September 22, 2004.

³ Cincinnati Police Department. *Report to the Community*. Fall 2005. (Page 5.)

⁴ Cape Coral Police Department. *M-26 Air-Taser Program Evaluation*. Captain Bart Connelly. September 22, 2004.

Medical Considerations

As Tasers become more widely used within the law enforcement community, more and more studies are being done and published about their usefulness. Among these studies, we found two regarding the cardiovascular effects of Tasers and the respiratory effects of Tasers.

Dr. Jeffrey Ho of the Hennepin County Medical Center and his associates published a study regarding the use of the X26 Taser on resting adults. They wanted to examine the effects of the Taser to determine if there was a causal relationship between Tasers and in-custody deaths. Testing was completed on 66 human subjects at various time intervals and blood analyses were completed to determine the results. Dr. Ho et. al were able to conclude that in this population, the Taser did not affect heart activity within a 24-hour period following the administration of the standard 5-second cycle.⁵

In a second study, Dr. Ho and other colleagues studied respiration to determine if the Taser negatively affects breathing and therefore may cause in-custody death. Fifty-two subjects were studied, some given 15 second continuous exposure to the Taser, and some given the standard 5-second cycle. They found that there was no impairment of breathing and respiration on this cohort. They did recommend further studies on other populations.⁶

⁵ Jeffrey D. Ho, James R. Miner, Dhanunjaya R. Lakireddy, Laura L. Bultman, and William G. Heegaard. *Cardiovascular and Physiologic Effects of Conducted Electrical Weapon Discharge in Resting Adults*. *Academic Emergency Medicine* 13:589-595.

⁶ Jeffrey D. Ho, Donald M. Dawes, Laura L. Bultman, Jenny L. Thacker, Lisa D. Skinner, Jennifer M. Bahr, Mark A. Johnson, and James. R. Miner. *Respiratory Effect of Prolonged Electrical Weapon Application on Human Volunteers*. *Academic Emergency Medicine* 0: j.aem.2006.11.016v1-106965630.

IAU Cases Involving Use of Force

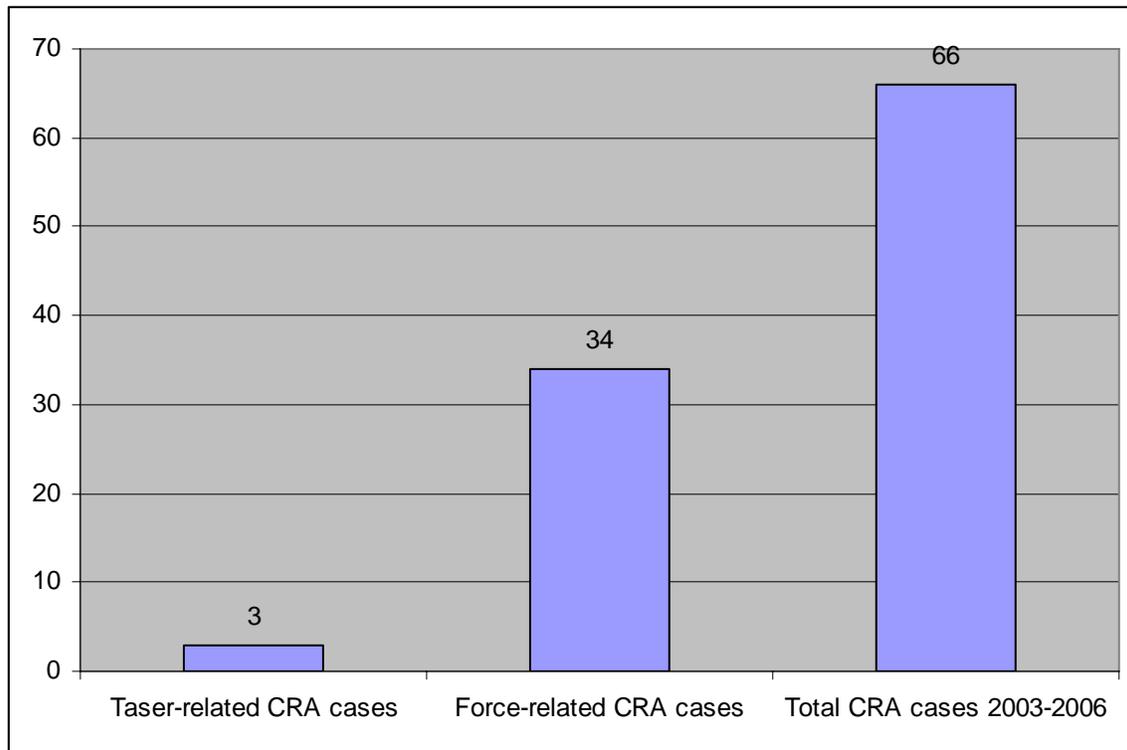
	Internal	External	Total Force cases	Total IAU cases	Percent force cases of total IAU cases
2003	2	2	4	36	11.1%
2004	5	11	16	80	20.0%
2005	17	13	30	79	37.9%
2006	15	6	21	85	24.7%

The MPD has experienced a downward trend in the number of external force complaints since 2004. In 2004, 68.7 percent of all IAU cases involving use of force were external complaints; in 2005, that number decreased to just 43.3 percent, and in 2006, that number decreased to just 28.5 percent.

	# of IAU cases involving Taser usage	Internal/ Force Review	External Complaint	Percent of total IAU cases
2003	0	0	0	0%
2004	1	1	0	1.25%
2005	0	0	0	0%
2006	4	4	0	4.7%

Over the past four years, no IAU case has involved an external complainant making an allegation of excessive/unreasonable use of Taser. All cases involving the use of a Taser have been self-initiated by the department through the Force Review process.

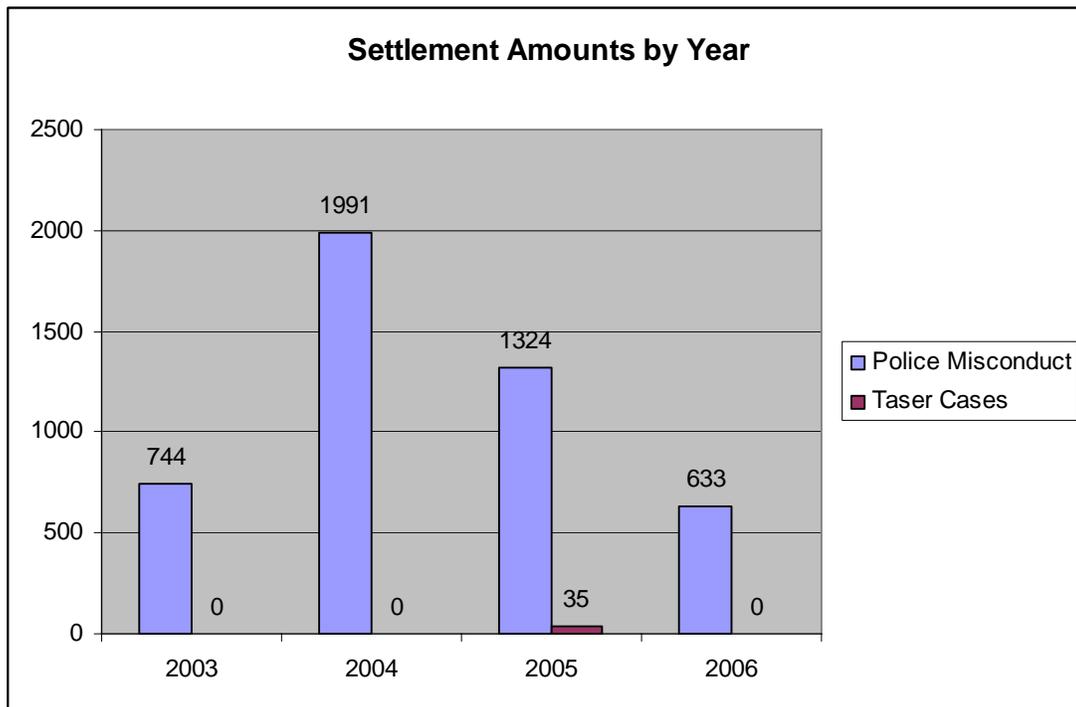
Civilian Review Authority and Tasers



The above table shows that there were just three CRA cases involving the use of Tasers from 2003 through 2006. This represents just 8.8 percent of all CRA force-related cases, and just 4.5 percent of all CRA cases received by the IAU from 2003 until 2006.

It is worth noting that none of the three Taser-related cases resulted in discipline to the officers.

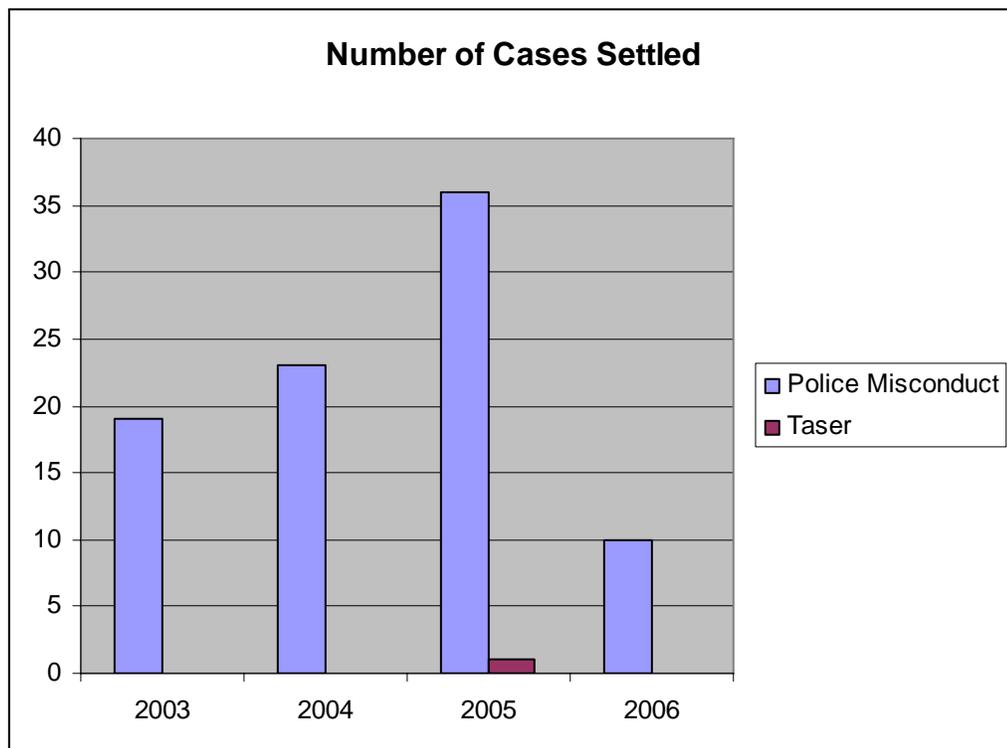
Civil Litigation and Taser Use: Minneapolis



The graph at left shows that over the course of the past four years, the City of Minneapolis has paid out over \$4.7 million in police misconduct settlements. Only \$35,000 (0.7 percent of the total settlement amount) of that was Taser use where the subject sustained facial injuries from the initial takedown and a scar from a use of Taser.

All dollar amounts shown are in thousands.

The graph at right illustrates the number of cases settled by the Minneapolis City Attorney's Office between 2003 and 2006. Taser use accounted for just one of all these cases, or 1.1 percent.



Successful Taser Uses within the MPD

June 28, 2006

Officers were dispatched to a domestic abuse call. Upon arrival, officers were met in the street by a 27-year old male with suspected blood on his pants. This person's mother then came out to talk to the police, indicating that she had initially called the police because this male, her son, was upset and was destroying their home. The male was asked to leave, and began walking back inside of the home. As officers approached the house, they could hear yelling and the sound of kitchen utensils being moved around in a drawer. The male then re-emerged from the house, concealing his hands under a t-shirt. He turned toward the officers, and was immediately tased. He fell to the ground, dropping the steak knife he had been hiding under his shirt. He was then handcuffed. The male's mother informed officers that he had been drinking and had been upset all day. He also reportedly told his mother that he wanted to die, and that as he was digging in the kitchen drawer for the knife, he told his mother, "You guys watch: I'm gonna make them [the officers] shoot me." The male was transported by ambulance to North Memorial Crisis. (MPD Force Review #392)

September 27, 2006

Off-duty officers working at Little Earth observed a person inside an address there known to have a felony narcotics warrant. Officers observed this suspect, a convicted felon, sitting on the couch and loading a shotgun. After knocking and observing the suspect to run and hide, officers forced entry to the home. The suspect was located in a bedroom. After refusing to comply with officers' demands to show his hands, the suspect was tased. The suspect was then taken into custody and booked for PC Narcotics, PC Weapons, and the felony warrant. Sixteen rocks of crack cocaine were recovered, along with a semi-automatic shotgun and four shotgun shells. A four-year old child who was in the home was placed in his grandmother's custody. No one was injured. (MPD Force Review #654)

November 2, 2006

Officer was dispatched to a person with a weapon call where the suspect was threatening others with a knife. Upon arrival, the officer ordered the subject to stop and to release the knife. The suspect began to turn toward the officer, and the officer saw that he was still holding the knife. The suspect was tased and taken into custody without further incident. There were no injuries to either the officer, any of the four victims, or the suspect. He was later booked on charges of Assault 2. (MPD Force Review #751)



MPD Taser Implementation Plan

Goal(s):

1. Within the next 2-3 years, train and equip all uniform street patrol officers and patrol sergeants with a X26 Taser with camera.
2. Maintain Taser deployment for all uniform street patrol officers and sergeants into the future.

Personnel to include:

- Precinct patrol officers (271), CRT officers (55) and sergeants (59), SWAT/STOP (50) and Sergeants (9), Traffic (17), Housing Officers (6), Canine Officers (17).

Current Tasers deployed: 207 Officers/Sergeants

Total new Tasers needed in next 2-3 years for full deployment: 484

Taser Implementation Time Line and Budget

YEAR ONE

Winter/Spring

- SWAT Trained and Equipped Cost: \$93,483
(50) Officers (Safety equipment Included)
- Two Classes of 25 Uniform Street Officers Cost: \$75,597.00
(50) Trained and equipped
- Recertification of 167 Officers Cost: \$13,852
6 classes of 26 Officers
- 25 Cadets trained & equipped Cost: \$34,897
- 20 Recruits trained & equipped Cost: \$27,918
- Two Classes of 25 Uniform Street Cost: \$75,597.50
(50) Officers trained & equipped

Fall

- Two classes of 25 Uniform Street Cost: \$75,597.50
(50) Officers trained & equipped
- 30 Recruits trained & equipped Cost: \$45,358.50
- Camera Transition for Existing Tasers (197) Cost: \$77,990.25

Total costs for additional officers trained/equipped (Year one):
\$520,021

YEAR TWO

Winter/Spring:

- 30 Cadets trained & equipped Cost: \$45,358.50
- 30 Recruits trained & equipped Cost:\$45,358.50
- Two classes of 25 Uniform Street
(50) Officers trained and equipped Cost: \$75,597.50
- Recertification of ½ of 400 operators
200 Taser Operators Cost: \$16,590
8 classes of 25 operators
- Two classes of 25 Uniform Street Cost:\$75,597.50
(50) Uniform Street Officers
- One class of 15 Uniform Street Cost: \$21,173.00
(15) Officers trained and equipped

Fall:

- Recertification of 200 operators Cost:\$16,590
8 classes of 25 Officers
- 30 recruits Trained/equipped Cost:\$ 45,358.50

**Total costs for additional officers trained/equipped (Year two):
\$341,623.50**

- **Total Officers equipped after full implementation: 682**
- **Anticipated yearly costs for ongoing training, equipment, maintenance after full deployment:
\$80,000**

Notes:

- Timeline may be modified due to staffing or funding issues.
- **Taser warranties from one year to five years are available at \$179.00 per Taser**
- Tasers have a 4-10 year life expectancy and the budget does not reflect future replacement costs.
- Yearly costs may be able to be reduced based upon modifying certification standards to include less firing of actual cartridges and more judgmental and simulated training.

**Minneapolis Police Department
Policy and Procedure Manual Section 5-318 regarding Tasers⁷**

5-318 USE OF TASERS (10/16/02) (07/31/03) (4/14/06)

(A-D)

Use of MPD-issued Conducted Energy Devices (CEDs) is considered less lethal force. The MPD issued "Taser" brand is the only authorized CED for MPD on-duty officers.

Tasers may be used as follows:

- Holstered Tasers must be carried on the officer's weak (support) side to avoid the accidental drawing or firing of a sidearm.
- The use of Tasers is normally considered to be at the "hard empty hand" level of force or above on the MPD's Use of Force Continuum. This level of force is approved for aggressive resistance and above. Tasers shall not be used on passive subjects or as a come-along tool.
- The Taser may be used with or without the air cartridge. The Taser "probe mode" should be the primary setting option with "drive stun mode" generally used as a secondary option.
- When activating a Taser, officers should use it for one standard cycle and stop to evaluate the effectiveness and the situation (a standard cycle is five seconds). Tasers should only be used for more than two cycles if the subject continues to be serious threat of bodily harm to the officers or citizens. If the Taser is being effective, a longer cycle facilitating handcuffing is appropriate. The electronic discharge from a Taser will not affect, transfer or "jump to" officers attempting to restrain the subject.

When possible, the Taser with air cartridge should be directed at the center mass of the body, i.e., to the subject's back where clothes tend to be tighter. The lower body may be the only available target area if the subject is wearing heavy clothing. The Taser shall not be intentionally aimed at the head neck, face or genitalia.

- Only one officer should activate a Taser against a person at a time.
- When feasible and practical, officers should announce over the radio that they are going to deploy the Taser. It is important that whenever possible, all officers involved and possible responding officers know that a Taser is being deployed so they don't mistake the sight and noise from the Taser going off as a firearm discharge. Officers announcing the actual firing of the Taser should yell "TASER!" prior to and/or during firing. If the firing of the Taser is not announced previous to the firing of the Taser, it shall be announced as

⁷ Source: http://citytalk/depts/mpd/policy-manual/5-300/5-300.htm#P232_17725

The Policy and Procedure Manual can also be found on the public MPD website at <http://www.ci.minneapolis.mn.us/mpdpolicy/>

soon as practical after the firing of the Taser. However, officers using Tasers must use their judgment to determine if a verbal warning of the Taser discharge is appropriate in each specific situation.

- Officers should know that conducted energy devices, including the Taser, can ignite flammable substances. The Taser shall not knowingly be used on subjects who have come in contact with flammables or in areas where flammables are known by the officer deploying the Taser to be present.
- Tasers may only be used on fleeing persons if the subject's actions justify the use of hard empty hand or "intermediate weapons" as outlined on the MPD Use of Force Continuum. This level is appropriate for fleeing felons or the arrest of a subject who is actively aggressive, i.e., actually fighting against police officers.
- Tasers may only be used on children, visibly frail persons, women who are known to be pregnant, and people with known heart problems when other hard empty-hand control methods have failed or deadly force is justified.
- Tasers may only be used on those in control of a motorized vehicle or bicycle in motion or those in a location where a fall may cause substantial injury or death when the subject's actions justify deadly force.
- Since a Taser is considered a "hard empty hand" or above option per Use of Force reporting policies, a supervisor shall respond to the scene where a Taser is being used or has been used, and will complete a Supervisors' Force Review Report to be forwarded to the Internal Affairs Unit.

THREATS FROM CEDs:

Officers threatened by a subject armed with a CED are at risk of being incapacitated and possibly disarmed. They should take defensive measures to protect themselves when feasible. The range of possible threat is just over 20 feet. Optimum range for current market CEDs is 15 feet. If the situation permits, officers should consider taking cover, backing up, and try to split up, to allow for a safer attempt to disarm the subject. It is not automatically a deadly force situation if one officer is shot with a CED, when there are other officers at the scene unless the subject makes an effort to get the downed officer's gun or poses other serious threats to the officers.

DUTIES AFTER DEPLOYMENT:

Once the subject is restrained or has complied, the Taser shall be turned off and wires disconnected. Officers shall use a continued restraint technique that does not impair respiration.

Probes located in sensitive areas such as the face, neck, groin, and breast shall be removed by medical personnel. Probes located in other areas may be removed by officers at the scene at the direction of the on-scene supervisor. Officers should treat used probes as a biohazard and remove Taser probes using practiced precautions against blood borne pathogens. Officers will ensure that proper medical care is provided to the subject, and officers will regularly monitor anyone

subjected to Taser activation until they are in the custody of detention or medical personnel.

Per MPD use of force reporting policies (AA05-031), a supervisor shall respond to the scene where a Taser is being used or has been used, and will complete a Supervisor Force Review Report and forward it to the Internal Affairs Unit.

The responding supervisor should take a photograph, or arrange for a photograph to be taken, of the probe site marks. Once the probes have been removed, the probes shall be treated as biohazard "sharps" and placed point down into the expended cartridge and sealed with tape. The officer shall then place their initials and badge number on the tape.

The photographs and expended cartridge with probes shall be property inventoried as evidence. (07/31/03)

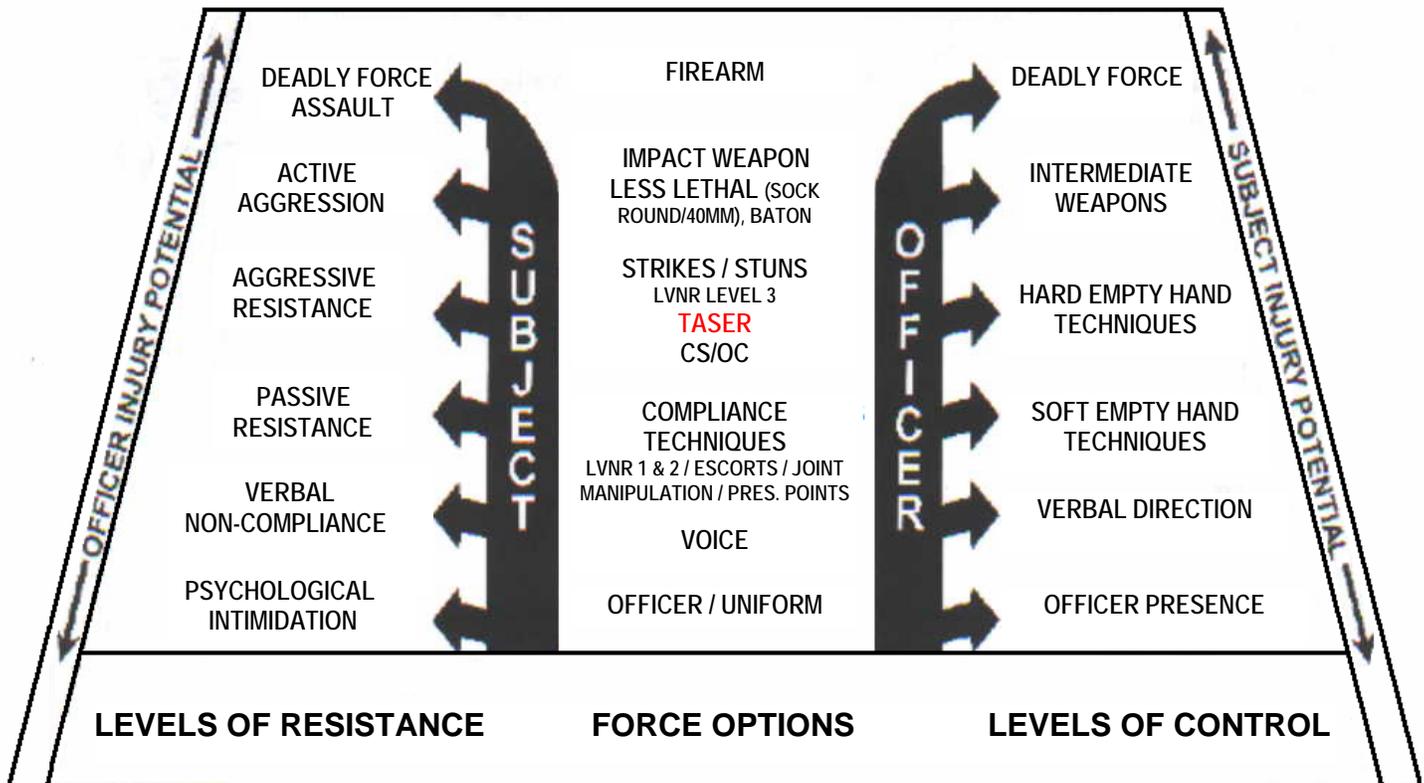
Officers shall inform detention or medical personnel that a Taser was used when they turn over the arrestee or subject.

Officers shall complete a CAPRS report titled, "Use of Force," indicating the reason for its use and the method of application. See Section on Critical Incident Team (CIT) for further information.

Officers must submit discharged Tasers for downloading following Training Unit protocols.

MINNEAPOLIS POLICE DEPARTMENT USE OF FORCE CONTINUUM

(GUIDELINE)



OFFICER – SUBJECT FACTORS

- AGE
- SEX
- SIZE
- SKILL LEVEL
- NUMBER OF SUBJECTS/OFFICERS
- RELATIVE STRENGTH

SPECIAL CIRCUMSTANCES

- CLOSENESS OF A WEAPON
- INJURY OR EXHAUSTION
- BEING ON THE GROUND
- DISTANCE FROM THE SUBJECT
- SPECIAL KNOWLEDGE
- AVAILABILITY OF OTHER OPTIONS

USE OF FORCE REPORT

- The Incident Report is your account of what happened in a confrontation.
- Many individuals, including a jury, may read this report.
- Be certain to indicate the causes for your action including all reasonable suspicion and probable cause.
- Quote the subject directly (if possible) and your own as accurately as possible
- Be chronological and show the totality of the circumstances
- List all factors that contributed to the incident.
- Specify the care rendered to the subject after control was effected.
- State your perception at the time based upon your training and experience.
- Be specific with regard to the force you employed, areas to which it was directed and why it was employed in place of other force options.

CONTROL THEORY

- The Goal is Control
- Control is not 50/50
- You need Advantage for Control
- Evaluate Propensity for Control v Damage
- Ability to Disengage or Escalate is Imperative

LANDMARK COURT DECISIONS

-GRAHAM V. CONNOR – DETERMINING FACTORS TO CONSIDER WHEN USING FORCE

1. IMMINENT DANGER TO OFFICER OR ANOTHER
2. SEVERITY OF CRIME
3. DEGREE OF CRIME
4. EFFORTS TO RESIST, EVADE OR ESCAPE ARREST

-TENNESSEE V. GARNER – OFFICER MUST USE REASONABLE FORCE