



MEMORANDUM

TO: Chief James R. Kruger Jr.
FROM: Deputy Chief Jason Cates
DATE: January 5, 2018
SUBJECT: 2017 Use of Force Analysis

In 2017, the Oak Brook Police Department generated or responded to 21,667 Calls for Service. Of those service calls, 673 resulted in arrest. Of the 673 arrests, 11 required the use of force. Force was utilized in five instances to overcome resistance in making an arrest, five instances for the purpose of providing Officer Safety and one instance to ensure the safety of a witness.

Officers did not utilize deadly force. Deadly Force is defined as: Any use of force that is likely to cause death or great bodily harm, or which creates some specified degree of risk that a reasonable and prudent person would consider likely to cause death or serious physical injury.

Officers did not utilize a mechanical force option. Mechanical Force is defined as: The application of a device or substance, other than a firearm, to make an arrest or achieve a law enforcement objective.

Officers utilized physical force on six occasions. Physical Force is defined as: Actual contact with a subject beyond that which is generally utilized to make an arrest or achieve a law enforcement objective. The physical force technique most often utilized was a leverage technique.

Officers utilized active pointing on seven occasions. Active Pointing is defined as: The actual pointing of a firearm or mechanical force option at another person to gain compliance or affect a lawful arrest. The act of unholstering or carrying a firearm for the purpose of conducting a building search or providing general security is not considered active pointing. The force option most often "pointed" was the handgun.

Officers utilized active pointing in conjunction with a physical force option on three occasions.

Officers utilized the display of a mechanical force option on one occasion. Display is defined as: The visible deployment a firearm or mechanical force option to gain compliance or affect a lawful arrest when that force option is not pointed at another person.

The offender's level of intoxication or impairment seems to have contributed to their level of resistance in one of the 11 instances in which force was used.

The offender's mental health seems to have contributed to their level of resistance in two of the 11 instances in which force was used.

The day on which force was most commonly used was Sunday. The force response option most often utilized was Active Pointing. The greatest level of force used was the application of Physical Force. Force was most often employed by two officers against a single offender.

I have included a brief synopsis of each incident in which force was used:

- 17-000062: Three officers conducted a felony stop of a vehicle that was entered in NCIC as stolen. The officers pointed their handguns at the occupants as they were taken into custody. The vehicle was later determined to have been previously recovered; the owner failed to notify the entering agency. The occupants were released without charges.
- 17-002700: A single officer stopped a vehicle for speeding (87 MPH in a 55 MPH zone). The officer made contact with the driver from the passenger side of the vehicle. In doing so, the officer observed what appeared to be a handgun on the passenger seat. The officer pointed his handgun at the occupant of the vehicle in an effort to compel compliance. Additional officers arrived and the driver was taken into custody without further incident. The handgun was subsequently determined to be a pellet gun. The driver was charged with speeding and possession of drug paraphernalia.
- 17-003554: Two officers responded to a domestic disturbance. Upon their arrival they located a physically aggressive subject in mental crisis. One officer pointed his CEW at the subject in an effort to compel compliance. The subject refused to comply with the officer's orders and continued to be physically aggressive. The second officer utilized a leverage technique to gain control of the subject. The officer and the subject fell to the ground where the subject was taken into custody without further incident. The subject was charged with resisting a peace officer.
- 17-007461: A single officer stopped a vehicle for a traffic violation. Upon making contact with the driver the officer smelled the odor of burnt cannabis. A second officer arrived and the occupants were directed to exit the vehicle. Upon searching the vehicle, a handgun is located under the passenger seat. The officers unholster their handguns and held them at the high ready (muzzles pointed down and way). Additional officers arrived and the occupants were handcuffed without incident. The driver was cited for a traffic violation. The rear seat passenger was charged with aggravated unlawful use of a weapon.
- 17-012874: Two officers responded to a retail theft in progress. The officers arrived as four offenders exited the store. The offenders refused to comply with the officer's orders. Two of the offenders fled on foot. One officer pointed his CEW at the remaining offenders in an effort to compel compliance. The officer then used a leverage technique to pull one offender to the ground. The two offenders were taken into custody without further incident. Both were charged with retail theft. The two offenders that fled on foot were subsequently located and taken into custody without incident. One was charged with retail theft, the second was released without charges.
- 17-013274: Two officers assigned to a single squad attempted to stop a suspicious vehicle. The vehicle fled from officer and was subsequently involved in a traffic crash. The officers pointed their handguns at the occupant as they took him into custody. The vehicle was later determined to have been stolen. The offender was charged with aggravated fleeing and eluding and possession of a stolen motor vehicle.
- 17-013366: Three officers responded to a battery in progress. Upon their arrival, the complainant, a witness to the battery, stated the offender had pushed and choked the victim. The offender became irate, pointed at the complainant, and walked toward him in an aggressive manner. The officers utilized a combination of leverage and escort techniques to restrain the offender. The officers were unable to

establish probable cause to arrest the offender and he was released without charges pending further investigation.

- 17-013428: Two officers responded to a retail theft during which the offender fled in a vehicle. The offending vehicle was subsequently located and stopped by an Oakbrook Terrace officer. The two Oak Brook officers arrived (from the opposite direction) as the vehicle was being stopped. The Oak Brook officers approached from the front of the vehicle and ordered the three occupants to “show” their hands. The driver did not comply. One officer unholstered his handgun, pointed it at the driver and again ordered him to “show” his hands. The driver complied and the officer holstered his handgun. The occupants were taken into custody without further incident. The officers subsequently determine no crime had occurred. The occupants were released without charges.
- 17-017472: One officer was investigating a retail theft when the offender attempted to flee on foot. The officer utilized a leverage technique to take the offender to the ground where she was taken into custody without further incident. The offender was charged with retail theft and resisting a peace officer.
- 17-017287: One officer stopped a vehicle for improper lane usage. Upon making contact with the driver the officer observed open alcohol within the vehicle and could smell the odor of burnt cannabis. The driver refused to comply with officer’s orders and would not exit the vehicle after being repeatedly told to do so. Additional officers arrived to assist. The driver was she was under arrest for obstructing a peace officer and after numerous warning was pulled from the vehicle. The driver physically resisted efforts to take her into custody and fell to the ground as officers attempted to handcuff her. The officers gained control of the offenders arms and legs after which time they were able secure her in handcuffs. The offender was charged with improper lane usage, obstructing a peace officer, resisting a peace officer, transportation of open alcohol and possession of cannabis.
- 17-018042: Two officers responded to a retail theft in progress. One officer located the offender on foot in Oakbrook Center Mall. The offender refused to comply with the officer’s orders and walked away from the officer. The officer attempted to gain control of the offender using a wristlock. The offender pulled away from the officer and put her hand in her purse. A second officer arrived as this occurred and actively pointed his CEW at the offender. The offender turned to run at which time the first officer pushed her to the ground. The offender was taken into custody without further incident. The offender was charged with retail theft and resisting a peace officer.

Each instance of force was reviewed in accordance with General Order FOR-501. All were found to be objectively reasonable and necessary for the purpose of accomplishing a lawful objective.

I have attached a statistical summary of each incident as well as a table depicting the number of occasions in which force was used by an officer during each calendar year (beginning with 2012).

A review of all documents associated with each instance in which force was used did not reveal any pattern or trend that would necessitate additional training, policy modification or changes in equipment.

2017 Response to Resistance

Incident #	Date	Day	Time	Force Option	# Officers Present	Mode	Injury / Subject	Injury / Officer	M/F Subject	M/F Officer	Finding
000062	01/02	Mon	19:38	Handgun	3	Pointed	None	None	M/M/F	M/M/F	OP
002700	02/19	Sun	01:46	Handgun	1	Pointed	None	None	M	M	OR
003554	03/05	Sun	21:03	CEW/LT	2	Pointed	None	None	M	M/M	OR
007461	05/14	Sun	03:24	Handgun	2	Displayed	None	None	M/M/M	M/M	OR
012874	08/10	Thr	19:08	CEW/LT	2	Pointed	None	None	M/F/F/F	M	OR
013274	08/18	Fri	04:55	Handgun	2	Pointed	None	None	M	M/F	OR
013366	08/19	Sat	15:23	LT/WL/SAB	3	N/A	None	None	M	M/M/M	OR
013428	08/20	Sun	17:52	Handgun	3	Pointed	None	None	M/M/M	M/M/M	OR
017472	10/20	Fri	16:20	LT	1	N/A	None	None	F	M	OR
017287	10/17	Tue	19:56	LT/WL/SAB	4	N/A	None	None	F	F/M/M/M	OR
018042	10/29	Sun	15:03	WL/OH/CEW	2	Pointed	None	None	F	M/M	OR

OR = Objectively Reasonable

Force Option Key	
EH	Empty Hand Control Response
TD	Takedown
WL	Wristlock
SAB	Straight Arm Bar
HC	Handshake Control
LT	Leverage Technique
OH	Open Hand Strike
FS	Foot Sweep
WS	Weaponless Strike
KN	Knee Strike
CEW	Conducted Electrical Weapon
HG	Handgun

Incidents of Force Used

Officer	2012	2013	2014	2015	2016	2017	2018
Birdsall		1			1	1	
D. Jacobs				2			
King						1	
Ramirez	2		1	1			
Strockis			1	2			
Wood	1					1	
Addison						1	
Baca				1		1	
Barnes			3	1		1	
Caldera				2			
Christopherson				1	1		
Church			1				
Foltyniewicz	1		2	1			
Franczak	1	1	7	7	2	3	
Froehlich				2			
Hall		1	1	1		1	
Huff					3	2	
J. Jacobs							
Kadolph							
Kaleciak			1	2	1	1	
Kern				3		1	
Kolzow				1		2	
Kozlowski							
Krenner				1			
Montgomery				2	1	1	
Nemec				2			
Perez	1				1		
Peterson					2	2	
Plinske							
Russell							
Swegler			1	2	3	2	
Struck			1				
Torlo		1					
Walsh							
Warren							
Yager		1					

Determination based on Response to Resistance Report completed by Officer.