



MEMORANDUM

TO: Chief James R. Kruger Jr.

FROM: Deputy Chief Jason Cates

DATE: January 15, 2019

SUBJECT: 2018 Use of Force Analysis

In 2018, the Oak Brook Police Department generated or responded to 23,758 Calls for Service. Of those service calls, 634 resulted in arrest. Of the 634 arrests, six required the use of force. Force was utilized in two instances to overcome resistance in making an arrest and four instances for the purpose of providing Officer Safety in accordance with standard police tactics.

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 (no other force option used) on one 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 (no other force option used) on two 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 un-holstering 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 did not utilize the display of a mechanical force option (no other force option used). 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.

Officers utilized active pointing in conjunction with the display of a mechanical force option on two occasions.

Officers utilized active pointing and the display of a mechanical force option in conjunction with a physical force technique on one occasion.

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

The day on which force was most commonly used was Saturday. 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 used in those instances in which multiple suspects/offenders were present.

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

- 18-001636: On Tuesday, January 23rd, two officers responded to a traffic crash in which the offending vehicle fled the location of the accident. The vehicle was subsequently located in traffic by the first responding officer. The driver refused to comply with the officers orders. The officer displayed his baton and advised the driver he would break the window of her vehicle in effort to take her into custody if she did not comply with his commands. The driver struck the officer with her vehicle and fled the scene. A short time later, a second officer observed the vehicle stopped in traffic. The officer used his vehicle to prevent traffic from moving and approached the vehicle with his handgun pointed at the driver in an effort to ensure his safety and compel compliance. The driver discontinued her attempts to flee. The officer deescalated and removed the driver from her vehicle utilizing a leverage technique. The driver was charged with Aggravated Battery and Driving While License Revoked.
- 18-003172: On Saturday, February 17th, three officers responded to a retail theft in progress. As the first officer arrived, he observed the offender physically resisting the Loss Prevention Agent. The officer identified himself and ordered the offender to stop resisting. The offender did not comply with the officer's lawful command. The officer then utilized a leverage technique to gain control of the offender and take her into custody. The offender was charged with Battery, Resisting Arrest, Unlawful Use of a Weapon (possession of a stun gun) and Retail Theft.
- 18-015638: On Thursday, August 30th, five officers responded to a report of a man with a gun at a hotel. The man was reportedly irate and had been drinking. Upon their arrival, officers determined the individual was in his hotel room with his spouse. The officers developed a tactical plan and ordered the occupants to exit the room one at a time. The female complied, however the male refused to exit. The female stated the male had locked himself in the bathroom and that although she had not seen a firearm, she did believe he was armed. Officers entered the room with the females consent and were subsequently able to convince the male to exit the bathroom and surrender to police. Two officers pointed their firearms at the male as he was taken into custody in an effort to ensure their safety and compel compliance. The male claimed his handgun was in the garbage can. The room was searched and a firearm was not recovered. Oak Brook Paramedics responded and determined the individual was not in need of psychiatric evaluation. He was released without charges.
- 18-018918: On Saturday, October 20th, four officers responded to a retail theft that had just occurred. The complainant reported the offenders fled in a red Chevrolet with damage to the driver's door. A Chevrolet matching the description of the offending was located, stopped in traffic, in close proximity to the scene of the theft. Officers approached the vehicle and ordered the driver to turn off the engine. The rear seat passenger immediately attempted to gain access to the trunk through an opening in the seat. An officer repeatedly told her to stop moving and show him her hands. The officer pointed his firearm at the passenger and repeated his command. The officer then deescalated and, in an effort to gain control of the passenger, broke the rear driver's side window. The passenger immediately stopped moving and complied with all commands. The rear seat passenger was charged with Retail Theft and Obstructing a Peace Officer
- 18-019840: On Saturday, November 4th, four officers were dispatched to a Burglary in progress. The complainant was reportedly hiding in the home with her children. As officers arrived, they observed a

male restraining a female in front of the home. Officers pointed their firearms at the individuals in an effort to ensure their safety and compel compliance. The individuals complied with the officers commands. The incident was subsequently determined to be a domestic disturbance. The male was charged with Domestic Battery.

- 18-021231: On Saturday, November 24th, five officers responded to a retail theft that had just occurred. The complainant reported the offenders fled in a silver Buick bearing Illinois registration AS21012. A Buick matching the description of the offending was located, in traffic, in close proximity to the scene of the theft. The vehicle attempted to flee but in doing so damaged the front driver's side tire. The three occupants abandoned the vehicle and fled on foot. Responding officers established a perimeter and searched the area. All three offenders were located and taken into custody. In an effort to ensure their safety and compel compliance, one officer pointed a Taser and one officer pointed a handgun at each offender as they were taken into custody. The driver was charged with Fleeing and Eluding and Retail Theft. The passengers were charged with Retail Theft

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.

2018 USE OF FORCE ANALYSIS									
	White Non-Hispanic		Black Non-Hispanic		Hispanic Latino – Any Race		Other		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
Total Uses of Force <i>(Reflects number of people force used on).</i>	1	1	2	3	1	0	0	0	8
Total Number of Suspects Receiving Non-Fatal Injuries									0
Total Number of Suspects Receiving Fatal Injuries									0
Total Number of Incidents Resulting in Officer Injury or Death	1								1
Total Use of Force Arrests <i>(Charged w/ Resisting or Battery)</i>	0	0	0	3	0	0	0	0	3
Total Agency Custodial Arrests*	*	*	*	*	*	*	*	*	634
Total Use of Force Complaints	0	0	0	0	0	0	0	0	0

*Total Agency Custodial Arrests includes all State Criminal Charges, All Ordinance Charges Having a State Criminal Equivalent, All Custodial Traffic and All Arrest Warrants Served. The race of the arrestee for each of the categories is not cataloged in a centralized database.

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	1
Addison						1	
Baca				1		1	
Barnes			3	1		1	
Caldera				2			
Christopherson				1	1		2
Church			1				
Foltynowicz	1		2	1			
Franczak	1	1	7	7	2	3	2
Froehlich				2			
Hall		1	1	1		1	1
Huff					3	2	1
J. Jacobs							
Kadolph							
Kaleciak			1	2	1	1	2
Kern				3		1	1
Kolzow				1		2	
Kozlowski							
Krenner				1			
Montgomery				2	1	1	2
Nemec				2			
Perez	1				1		
Peterson					2	2	1
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.