

2023

Use of Force Analysis



***LOVELAND
POLICE***

JUSTICE ★ KINDNESS ★ HUMILITY

Professional Standards Unit
Loveland Police Department

PURPOSE

The purpose of this analysis is to examine incidents of Use of Force for the Loveland Police Department (LPD). The report examined 2023 data and compared to three previous years, to identify essential elements which may reveal patterns or trends that could be predictive, indicate program effectiveness, or identify the need for additional training, equipment upgrades and policy modification. This analysis also evaluates trends and patterns for injuries and impacts on policies, practices, equipment, and training.

The CALEA relevant standard is 4.2.4.

DATA

Blue Team software was used to collect data for 2023. The Loveland Police Department implemented this system in 2013, and it analyzes significantly more data than prior reporting systems. Following the use of force tables (below) is a further breakdown of data taken specifically from the use of force available data.

*Sources: Blue Team/IPro for 2020 – 2023 *SWAT data included here, but not calculated in totals.*

Use of Force Totals by Year:

Year	2020	2021	2022	2023
Firearm *Does not include animals	0	1	0	0
CEW (Taser)	14	8	5	17
Impact Weapon (Baton)	2	1	0	0
Chemical/OC	0	3	1	0
Weaponless	122	75	86	117
Other Uses of Force:				
Canine	2	2	1	0
Chemical (SWAT ONLY)	1	0	0	1
LLM (PepperBall, 40mm Launcher)	0	0	2	4
NFDD (SWAT ONLY)	3	3	5	9
TOTAL Uses of Force	235	203	245	307
TOTAL Use of Force Arrests	108	97	150	180
Complaints from Use of Force	6	4	5	1
Total Agency Custodial Arrests	2953	2102	1795	1964

2023 Use of Force Table:

Sworn Personnel	White non-Hispanic		Black non-Hispanic		Hispanic-Latino any race		Other		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
Firearm									
• Discharge									0
• Display only	55	13	5	3	29	3	6	5	119
ECW									
• Discharge	11		6						17
• Display only	33	5			10	3	1	2	54
Baton									0
Chemical /OC									0
Weaponless	58	28	3	1	22	4	1		117
Canine									
• Release Only									
• Release and Bite									
Total Uses of Force	151	46	14	4	61	10	8	7	307
Number of Suspects Receiving Non-Fatal Injuries	36	9			10	1			56
Number of Suspects Receiving Fatal Injuries									0
Total Number of Incidents Resulting in Officer Injury or Death	20	7	1		2				30
Total Use of Force Arrests	96	33	2		39	5	4	1	180
Total Agency Custodial Arrests	941	429	53	18	288	110	83	42	1964
Total Use of Force Complaints		1							1

The total number of uses of force increased in 2023 by 25%, rising from 245 in 2022 to 307 in 2023.

- 235 in 2020
- 203 in 2021
- 245 in 2022
- 307 in 2023

Comparison of complaints involving use of force from 2020 to 2023:

Year	2020	2021	2022	2023
Exonerated	2	1	1	
Sustained	3		1	
Training Required				
Closed			1	
Unfounded	1	3	2	1
TOTALS	6	4	5	1

In previous years, each officer was responsible for reporting their own Use of Forces. Currently, only the primary officer for each incident is required to create the Use of Force report and will include all officers involved with their respective uses of force. This is to eliminate the amount of time spent reviewing each incident and to keep the reviews of each incident consistent.

The following is an analysis on Tasers between 2020 and 2023:

- For the years 2020 and 2021, most officers had the X-2 Taser which had limited effectiveness.
- The department transitioned all sworn officers to the Taser 7 in 2022 and reformed the Less Lethal Munitions (LLM) Instructor Cadre.
- Usage of the Taser 7 increased in 2023 due to improved effectiveness of the device, consistent training from the new Instructors and a change in leadership at the executive level that supported the use of less lethal devices in Patrol.

Profile of Use of Force incidents received between January 1, 2023 and December 31, 2023:

Total number of Use of Force incidents: **248**

Type of Force Effectiveness Tally					
Type of Force	#	Effective %	#	Non-effective %	TOTAL
Arrest Control	245	96%	10	4%	255
Handgun (Displayed Only)	4	36%	7	64%	11
Rifle (Displayed Only)	0	N/A	2	100%	2
LLM (PepperBall & 40mm)	2	100%	0	N/A	2
NFDD (SWAT)	6	67%	3	33%	9
Chemical (SWAT)	1	100%	0	0%	1
Taser (Displayed Only)	5	50%	5	50%	10
Taser (Deployed)	13	76%	4	24%	17
TOTAL	276	90%	31	10%	307**

***This number defers from the total number of Use of Force incidents because some incidents had more than one officer that used force and/or one officer used more than one type of force.*

Citizen Arrest Tally		
Arrested	Count	Percent of Total
Yes	180	65%
No	95**	35%
Total	275	

***Includes protective custody for a mental health hold or an emergency commitment and Show of Force incidents where citizens were detained but not arrested.*

Charges Against Citizen Tally		
Charge	Count	Percent of Total
Felony	91	26%
Misdemeanor	164	47%
Protective Custody	16	5%
Petty Offense	13	4%
Traffic	11	3%
Municipal	16	5%
Warrant Arrests	40	11%
TOTAL	351	

Citizen Resistance Tally		
Reason	Count	Percent of Total
Active Aggression	55	12%
Deadly Force Assault	1	<1%
Defensive Resistance	112	25%
None/Compliant	77	17%
Passive Resistance	68	15%
Psych Intimidation	31	7%
Verbal Non-Compliant	109	24%
TOTAL	453	

Citizen Injury Tally		
Injury	Count	Percent of Total
Yes	72	25%
No	215	75%
TOTAL	287**	

Citizen Condition Tally		
Condition or Injury	Count	Percent of Total
Bodily Injury	37	13%
Pain Only	16	6%
Pre-Existing	19	7%
No Injuries	215	75%
TOTAL	287**	

***some citizens had more than one condition/injury, and/or there was more than one citizen involved*

Citizen Taken to Hospital Tally		
Hospital	Count	Percent of Total
Yes	69	25%
No	206	75%
TOTAL	275	

Officer Injury Tally		
Injury	Count	Percent of Total
Yes	30	5%
No	575	95%
TOTAL	605**	

Officer Condition Tally		
Condition or Injury	Count	Percent of Total
Bodily Injury	20	3%
Pain Only	9	2%
Pre-Existing	0	0%
Exposure (COVID-19)	1	<1%
No Injuries	575	95%
TOTAL	605**	

Officer Taken to Hospital Tally		
Hospital	Count	Percent of Total
Yes	5	1%
No	600	99%
TOTAL	605**	

***some use of force incidents had more than one officer involved*

Reason for Use of Force Tally		
Reason	Count	Percent of Total
Barricade – SWAT	1	<1%
Warrant Service – SWAT	3	1%
Defense of Citizen	10	4%
Defense of Officer	6	2%
Defense of Self	24	10%
Suicidal	9	4%
Civil Disobedience	3	1%
Effecting Arrest	192	77%
Total	248	

Type of Service Rendered Tally		
Type of Service	Count	Percent of Total
Arrest	159	64%
Call for Service	65	26%
Non-CFS Incident	2	1%
SWAT Deployment	3	1%
Search Warrant	2	1%
Traffic Stop	11	5%
Transport	3	1%
Pedestrian Contact	3	1%
TOTAL	248	

Below are the tables incorporating the comparisons for the date and time of incidents. The first set separates each day of the week into four six-hour blocks. Each incident is included only once.

2022					
Time	0001-0600	0601-1200	1201-1800	1801-0000	TOTAL
Sunday	7	3	3	6	19
Monday	1	3	7	8	19
Tuesday	2	6	8	13	29
Wednesday	6	4	12	11	33
Thursday	2	2	10	7	21
Friday	5	3	13	10	31
Saturday	7	6	13	12	38
TOTAL	30	27	66	67	190

2023					
Time	0001-0600	0601-1200	1201-1800	1801-0000	TOTAL
Sunday	7	5	8	14	34
Monday	4	10	8	10	32
Tuesday	11	5	9	9	34
Wednesday	4	9	11	7	31
Thursday	6	8	11	7	32
Friday	4	8	24	16	52
Saturday	5	5	10	13	33
TOTAL	41	50	81	76	248

Demographic – Subject Tables:

2022	White Non-Hispanic		Black Non-Hispanic		Hispanic-Latino Any Race		Other		TOTAL
	Male	Female	Male	Female	Male	Female	Male	Female	
Non-Fatal Injury	25	2	2	0	5	1	1	0	36
Fatal Injury	0	0	0	0	0	0	0	0	0
Use of Force Arrests	78	29	10	0	20	11	2	0	150
Agency Arrests	832	368	89	30	313	141	18	4	1795

2023	White Non-Hispanic		Black Non-Hispanic		Hispanic-Latino Any Race		Other		TOTAL
	Male	Female	Male	Female	Male	Female	Male	Female	
Non-Fatal Injury	36	9	0	0	10	1	0	0	56
Fatal Injury	0	0	0	0	0	0	0	0	0
Use of Force Arrests	96	33	2	0	39	5	4	1	180
Agency Arrests	941	429	53	18	288	110	83	42	1964

Gender/Age – Subject Tables: (M=Male, F=Female)

2022	0-19		20-29		30-39		40-49		50-59		60-69		70+		TOTAL
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Non-Fatal Injury	2	0	12	4	7	6	7	1	4	0	0	0	0	0	43
Fatal Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Use of Force Arrests	8	3	36	14	39	18	22	5	7	4	2	1	0	0	159
Agency Arrests**	326	189	398	216	541	304	397	153	196	75	85	22	18	8	2928

2023	0-19		20-29		30-39		40-49		50-59		60-69		70+		TOTAL
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Non-Fatal Injury	2	1	5	2	22	3	10	2	4	2	2	0	1	0	56
Fatal Injury	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Use of Force Arrests	12	4	21	10	63	8	29	13	11	4	4	0	1	0	180
Agency Arrests**	348	162	363	174	653	308	498	209	239	87	109	56	30	17	3253

***Includes Custodial Arrests and Non-Custodial Arrests.*

OVERALL TREND ASSESSMENT

Training classes are including policy, de-escalation and physical skills training with each class. Updated training on our Use of Force policy was legislatively mandated by September 1, 2020, although we enacted in June 2020.

Complaints from use of force: In 2021 there were four use of force related complaints – one was exonerated, and three were unfounded. In 2022 there were five use of force complaints. One was exonerated, one was sustained, one was closed and two were unfounded. In 2023, there was one use of force related complaint. It was determined to be unfounded.

The SWAT leadership group is continuing to implement more accurate collection and documentation of types of use of force (NFDD, 37mm, PepperBall VKS, etc.) by including their use in the Blue Team narrative. If use of force is applied to a person other than chemical deployment, the SWAT members involved complete a separate use of force entry in addition to the SWAT after action report.

POLICY REVIEW

LPD’s Use of Force Policy 11.04, was last reviewed/updated on February 14, 2023. The policy was revised by Assistant City Attorney Andrew Trevino and Sgt. Brandon Johnson to remove Vascular Neck Restraints (VNR), adding the prohibition on chokeholds, and to also include all employees, not just sworn peace officers, in their duty to intervene within their scope of authority and training and to notify appropriate supervisory authority if they observe any unreasonable use of force or become aware of any violations of department policy, state or federal laws, or municipal ordinance. Other revisions completed in 2022 included additions such as the BolaWrap, de-escalation techniques, and the PepperBall VKS system.

PROCEDURE AND PRACTICE REVIEW

Following each incident where there is a use of force, LPD initiated a process of information collection and review. Each incident of use of force has been documented during the reviewed years of 2020 through 2023. Each officer has been trained on the use of the reporting system and the reviews of use of force are conducted by the appropriate supervisors. The Division Assistant Chief is responsible for the final review on use of force incidents, and the Police Chief is responsible for the final review of all use of force incidents where the Division Assistant Chief finds the incident to be not within policy.

SWAT incidents where multiple tools are used, possibly in conjunction with a use of force (i.e. PepperBall utilization, OC gas deployments or NFDDs), are noted within the SWAT After Action Report, and routed through the chain of command. Lieutenant Rob Pride, the SWAT Commander for most of 2023, ensures thorough documentation of individual uses of force (separate from the SWAT After Action Report) by team members during operations. This ensures each use of force incident during operations is documented and reviewed accurately.

Each reported use of force incident has a documented, thorough review, which is routed through the chain of command. Each incident contains recommendations specific to that individual use of force, if applicable. Often use of force reviews identify areas for enhanced training, including tactics, alternatives, and ways to ensure more effective applications.

Multiple approaches to evaluating use of force policy and practice occur within the LPD including:

- Mandated individual reporting of use of force is outlined in policy, taught at the pre-service and field training level with reinforcement during in-service training.
- Chain of command review occurs for all use of force incidents.
- Legal Update training occurs annually with directed scenario descriptions to enhance retention.
- Training on de-escalation is included in each skills discipline. This training is increasing in specificity in conjunction with legal expectations.
- In-service training on Loveland Defensive Tactics, Firearms, and Driving occurs multiple times each year and includes policy refresher.

During 2023, the training unit began working to review and update each discipline's training curriculum, and ensure all Department instructors are certified to instruct their respective disciplines.

LPD actively seeks to identify trending issues relative to each work section, including the identification of tools, policy, training and equipment needs, which may reduce incidents of use of force. These evaluation areas include tools and equipment, training and specific policy which may be related to or have impact on use of force factors. Employees are encouraged to present their ideas on needs for facilities, equipment needs or improvements and/or policy adjustment relative to their work area and function.

Additionally, to ensure their inclusion in evaluating procedures and practices, the Patrol Division Assistant Chief holds monthly meetings, where supervisors are encouraged to share their perspectives. There are a number of other venues for officers to share ideas on tools and training opportunities such as: the uniform committee, FOP, collateral training disciplines and SWAT.

TRAINING REVIEW

Training is coordinated by the Training Sergeant who schedules required training for all mandatory disciplines. During this review, the in-service training calendar for years 2020-2023 which covered all the POST and policy-required training included: *(Source: Training Calendar 2020-2023)*

2020

- Firearms - 4 times per year
- Defensive Tactics and Less Lethal Munitions- 3 times per year
- Legal Update
- Active Shooter, Building Searches, Barricade Tactics
- Driving, TVI and High Risk Stops - 2 times per year

2021

- Firearms- 4 times per year
- Defensive Tactics and Less Lethal Munitions-2 times per year
- Legal Update
- Active Assailant, Building Searches, Barricade Tactics- once during year
- Driving, TVI and High Risk Stops-2 times per year
- Subject matter experts are documenting in training outlines where they are training on de-escalation techniques. De-escalation has always been taught but we have been focusing more on showing documentation for de-escalation training.

2022

- Firearms
 - Trained twice – third session canceled due to COVID
 - Qualifications done twice
- Defensive Tactics
 - Trained once – second cancelled by command staff
- Legal Update – once
- Active Assailant – once
- Driving
 - Trained twice – Cone Course, Maneuvering, TVI, High Risk Stops
- Interactions / De-Escalation/ Disabilities and Diverse Backgrounds – once

2023

- Firearms- three times per year, not including drop in qualifications two times per year
- Defensive Tactics and Less Lethal Munitions – two times per year
- Legal Update – once during year
- Active Assailant, Incident Command – once during year
- Driving, TVI and High Risk Stops – two times per year
- SFST recertifications – once during year
- ICAT (12-hour course) – once during year

CONCLUSIONS

Data collection for 2023 is very detailed with the continued use of Blue Team reporting software.

Trending areas were identified as:

- Display of a firearm or other less lethal weapon system as a means of control on a person is now recorded as a Show of Force.
- The Loveland Police Department participates in the voluntary FBI Use of Force Data Collection for triggering incidents (outlined in the FBI's policy and procedures) through the CBI's collection portal.
- Taser effectiveness has increased with deployment of the Taser 7.
- Training classes include policy and physical skills training with each class.
- The total number of uses of force increased in 2023 by 25%, rising from 245 in 2022 to 307 in 2023

Additional training is conducted within the mandated requirements of Colorado POST and discipline instructors participate with the LPD Training Board. The use of force policy received a necessary revision impacting data collection. The review ensured that LPD's use of force policy is compatible with the Colorado Revised Statutes, Supreme Court case law, and law enforcement best practices.

Evaluation of use of force incidents, which revealed both compliance with policy and some incidents that were out of policy, indicated supervisors are giving appropriate attention and direction to the officers and this topic.

Additionally, the chain of command review requirements ensures that more than one individual review each incident of use of force.

RECOMMENDATIONS

Action items and recommendations for this area include:

- Instructors are generally forwarding training plans to Training Sergeant, but we need to have a more consistent adherence to the one-month deadline prior to the scheduled training to allow for thorough review and approval of proposed lesson plans.
- The Training Sergeant should continue to collect training outlines for each in-service training class prior to its instruction and work through the LPD Training Committee to ensure compliance with Colorado POST and trending information.
- The Training Sergeant should ensure a documented review of each training curriculum is completed every three years, including the pre-service instruction.
- Continue to train de-escalation techniques and incorporate them with scenario based decision-making training.
- Continue to review Blue Teams in short periods of time so that patterns can be more accurately monitored.