

# Phoenix Police Department



Tactical Review Committee

Annual Report

January 2015 to December 2015

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## **Purpose of the Annual Report**

The purpose of the TRC is to review OIS incidents and identify related training needs. In accordance with the Phoenix Police Department's Operations Order 1.5.8.F, this report is produced for Executive Staff review of Officer Involved Shooting (OIS) incidents.

## **Officer-Involved Shooting Review Recommendations:**

The following OIS review recommendations pertained to the Training Bureau, TRC, and Executive Staff will provide an updated status of each recommendation. The subsequent section, "Changes to Department Policy and/or Procedure," contains the progress of a portion of the below recommendations.

1. Consider adding a "sanctity of life" statement to the PPD Operation Orders Use of Force policy.  
**Status:** Completed
  
2. Consider enhancing the PPD Operation Orders Use of Force policy to provide officers more context for use of force decision-making through the addition of the following factors:
  - The influence of drugs/alcohol or the mental capacity of the subject
  - The time available to an officer to make a decision
  - The availability of officers/resources to de-escalate the situation
  - The proximity or access of weapons to the subject**Status:** In Progress - pending
  
3. Consider adding a policy addressing foot pursuits to establish parameters surrounding decision-making and officer safety such as; factors to consider when deciding to engage in a foot pursuit, officer safety concerns, transitioning from pursuit to apprehension, and the roles and responsibilities of the officer initiating the pursuit, assisting officer(s), supervisor, and dispatcher.  
**Status:** Completed
  
4. Consider revising the PPD Operation Orders Use of Force policy to place greater emphasis on de-escalation and force transition as a method officers should consider in potentially violent situations and offer examples of ways it can be used.  
**Status:** Completed

5. Consider implementing a regular review of the PPD Operation Orders Use of Force policy at least annually and as needed by the Legal Unit or others to incorporate court decisions and lessons learned from other deadly force incidents. These reviews should be memorialized via an update to the revision date documented on the policy.

**Status:** In Progress - pending

6. Consider tracking and enforcing policy that indicates “employees will shoot for practice with a primary and/or secondary handgun a minimum of four (4) times per year in addition to annual qualification.”

**Status:** Completed

- 7 The PPD Executive Staff should review and revise the composition, responsibilities, and documentation requirements associated with the Tactical Review Committee as outlined in the PPD Operation Orders Use of Force policy. Items to consider that may increase the effectiveness of the TRC include:

- Documentation of the TRC review for all OIS incidents
- Documentation identifying training needs for department personnel
- Documentation involving officer post-OIS protocol
- Distribution of required documentation to appropriate department personnel
- Establish record retention procedures for required documentation by the TRC
- TRC representation as advisor to Use of Force Board

**Status:** Completed (\*Bullet point #5, “record retention,” is currently being reviewed by Ms. Marianne Maldonado for record retention schedule)

- 8 Consider developing more specific Use of Force Board finding categories in lieu of “In Policy” and “Out of Policy,” including, but not limited to:

- Administrative approval: Justified and within policy
- Tactics/Decision-making: Tactics and/or decision making was less than satisfactory and training will be prescribed
- Policy violation not directly related to use of force: A policy violation was identified, but it was not connected to the use of force, i.e. failure to qualify with the OIS firearm
- Policy/training failure: This finding reflects policy or training deficiencies
- Administrative disapproval: The force used or action taken was not justified under the circumstances and a violation of policy. Note, this outcome is reserved for the most serious failures in adherence to policy, decision-making, and/or performance

**Status:** Phase II of implementation – Phase I remains in progress

- 9 PPD and CVPCS should consider conducting enhanced data extraction and trend analyses of completed OIS investigations for calendar years 2009 through 2014 and beyond. Analyses should seek to identify contributing factors such as substance abuse, mental illness, officer de-escalation of force, and any other factors influencing OIS. The enhanced analyses would better identify and explain the “how” and “why” of OIS incidents.

**Status:** PSB Inspections personnel and the TRC personnel are collaborating on the optimal construct and paradigm to implement

### **Changes to Department Policy and/or Procedure**

The Tactical Review Committee (TRC) has continued to convene meetings regarding Phase I implementation of policy/procedural changes and updates. The previous semi-annual report contained similar information contained in the below modifications of policy; however, the committee remains in the review/staffing status and the policy has not been implemented.

The following revisions are discussed in the following paragraphs.

The following verbiage (in italics) will be staffed for implementation to Operations Orders:

#### **1.5.3. B – Sanctity of Life**

- *The Phoenix Police Department respects the dignity of all persons and recognizes the sanctity of human life, rights, and liberty. As such, our officers are trained to utilize deadly force only as a last resort when other measures are not practical under the existing circumstances.*

#### **1.5.3.B(3) - Elements of Force - Officers need to consider the following:**

- Ability - Suspect has the reasonable ability to carry out the act
- Opportunity - Suspect has the reasonable opportunity to carry out the act
- Jeopardy - Suspect creates jeopardy to the officer or others
- *Preclusion – Other alternatives have been reasonably considered based on the totality of the circumstances.*

#### **1.5.3.C. - De-Escalation**

- Incorporated in the latest revision of Operations Order 1.5

#### **TBD Foot Pursuit Training / Guideline-Policy**

- The lesson plan and guideline-policy reviews safety considerations and additional resources for an officer that engages in a foot pursuit. The guideline-policy will provide information on the inherent dangers, definitions, tactical considerations, etc.

### **Critical Incident Response / Officer Involved Shooting Protocols:**

The previous semi-annual report contained the initial portion of the modifications concerning the department's response to Critical Incident Response / Officer Involved Shooting Protocols. However, the evaluation of the procedures evolved from the prior report. A portion of the information may contain redundant content.

The following is a summary of the new standardized Critical Incident Protocols developed and promulgated by the Tactical Review Committee.

- Professional Standards Bureau (PSB) investigators modified and added questions, which were established by the Tactical Review Committee and PSB, to their questionnaire. The questionnaire is available on line in the Document Center on Police Point.
- A Tactical Review Sub-Committee case agent will respond to the scene to observe, collect germane information from the initial and secondary briefings from Violent Crimes Bureau Homicide personnel.
- Involved employees will be given the remainder of the current work week off, and the next week following the incident, which will be paid administrative leave.
- Upon returning from administrative leave, employees will be temporarily re-assigned to a different position (minimum 30-days prior to returning to full duty).
- Employees will be required to attend the psychological debriefing with the city contracted psychologist twice, the second time prior to returning to work.
- Employees are required to meet with the Firearms Unit to fire their duty weapon or qualify with a replacement weapon.
- The Homicide Unit's OIS response personnel will provide an incident briefing within 14 days of the incident.
  - The TRC Sub-Committee will review the incident and tactics for potential use of force trends, training recommendations beneficial for the employees and community, policy deficiencies, areas of improvement, etc. The evaluation is the applicability of training for individuals, squad, and/or department to improve a response to similar future incidents.
  - All involved employees, with the exception of TSB personnel who will conduct the de-brief/training, will attend a de-brief/training with the Training Bureau TRC Sub-Committee case agent. Involved employees will attend this de-brief/training within 14 days of their notification. Employees will not return to full duty until this is completed.
- The Chief of Police will speak to the involved employee/s prior to returning to full duty.
- The Division Chief of the employee will review and approve the OIS checklist to ensure completion.
- The OIS checklist is in the process of being revised. The PSB investigator case agent will assume the responsibility for retention of the checklist.

### **Post-OIS Training and Tracking**

The Training Bureau utilizes a tracking form memorandum which captures information of officers involved in OIS incidents to ensure continuity and the adherence to follow-up procedural matters are completed. These categories are: TRC Sub-Committee Review, Schedule Appointment for Incident Debrief, Post Shooting Evaluation with Firearms Detail, Debriefing/Training is documented prior to the involved employee returning to full duty. This memorandum will be retained at the Training Bureau in accordance with the records retention schedule of the department.

The TRC Committee is currently working with Professional Standards Bureau Department Forms Control Officer Dawn Leone to promulgate the chain of command checklist and responsibilities for officers involved in critical incidents. In accordance with Operations Order 2.6, a memorandum will be authored and submitted through the chain to their assistant chief and then to the Policy Unit for staffing/implementation. Upon the completion of staffing the policy and forms, Officer Leone will upload the forms and policy to PolicePoint and make an announcement in the Newsletter concerning the aforementioned document and revised policy.

This annual report will document OIS incidents from July 1, 2015 to December 31, 2015. A breakdown of the training provided to the involved officers can be found in Exhibit 38 on page 53 of the Annual Report.

### **Training Updates / Training Provided**

This report contains elaboration of the training currently being provided and the upcoming training which will be scheduled in the near future. The emphasis of the training includes, but is not limited to, the continuation of the 40 hour Training Module, Decision Making Matrix/De-escalation training that encompasses a back to the basics - officer career survival for 21<sup>st</sup> Century Policing, and De-escalation strategies and techniques.

The following is training that was provided as well as in the process of implementation:

- 2015-2016 - 40 hour Training Module will conclude in the fall of 2016. The curriculum includes several training modules involving Use of Force policy review, Defensive Tactics technique review, Mental Health Crisis training, Crisis Communications training, interactive training scenarios dealing with individuals in crisis and tactical situations, a review of shoot and no-shoot tactical incidents, and Firearms training.
  - In April 2016, the Training Bureau's Advanced Training Detail will convene a committee to begin planning the 2017 module. The committee will be comprised of various stakeholders to elicit input on training needs. The paradigm will be changed to reinstitute a calendar year module to optimize the timeliness and efficiency of training dissemination.
- The Firearms Committee recommended that officers are required to attend four sessions of quarterly handgun training, not to include the Annual Qualification.



The tracking mechanism is currently being reviewed to increase the efficiency and accountability.

- Active Shooter Intervention: This training consisted of a PowerPoint presentation followed by a demonstrating of the tactics. Students are allowed to practice the techniques using “Blue Guns”. Upon becoming proficient with the tactics, simmunition training is implemented where scenarios are introduced to the students. Students are faced with shoot and non-shoot/de-escalation based scenarios.
- CIT squad received 20 hours of training on Building Search, Impact Weapons and Shield Deployment.
- Hosted 5 hours of tactical scenarios in the Tactical Village for the 80 hour supervisor school. This was simmunition based training and consisted of Barricade, Crisis Entry, Shield Deployment and Downed Officer Drills.
- Hosted a mandatory class for detectives/officers who wanted to participate in the patrol supplemental program. This training consisted of Taser certification, Defensive Tactics and MDC.
- Currently hosting a class for detectives / officers who are mandated to work a shift in patrol. This training consists of Taser certification, Defensive Tactics and MDC.
- Conducted 2 hours of scenario based training for the Code Enforcement Unit. The training consisted of scenarios that the officers may face in their working environment which involved de-escalation tactics, communication skills, etc.
- Maricopa County Attorney’s Office Training:
  - Hosted a class on our Use of Force policy that was given to prosecutors with the Maricopa County Attorney’s Office. This class consists of a two hour lecture followed by hands on demonstration in the Tactical Village. This class is now mandatory for all new prosecutors due to the positive feedback received from the attendees.
- The Advance Training Detail has partnered with Public Affairs Bureau in producing a monthly training video, “Tactical Advantage.”
- The Advanced Training Detail will be submitting a proposal for a mobile training squad to enhance department wide proficiency skills, proactive trend based training, time sensitive training provided, annual supervisor’s block of training, etc.
- The Advanced Training Detail is in the process of finalizing a two to three hour block of training, Decision Making Matrix/De-Escalation Tactics, to be disseminated department wide.
- The Advanced Training Detail is in the process of developing a 10 hour Supervisor Module which will incorporate topics to include but not limited to use of force, patrol supervisor’s responsibilities, community outreach, Critical Incident Team instruction, scenario based training in the tactical village, defensive tactics review, etc.
- Four Week Post Academy (Monthly) – Sergeant Mark Heimall
  - Upon initial entry into Post Academy officers-in-training are provided with Operations Order 1.5 Use of Force instruction and policy review. There is

discussion about the importance and significance of the policy and a written test is provided at a later date. Use of force is continuously addressed throughout Post Academy with an emphasis on de-escalation strategies.

- A 1 hour Use of Force presentation is provided to the class with a focus on the varying levels of resistance that suspects present and the acceptable / corresponding response option. This was implemented as a consequence of a commonality observed when the officers did not connect the resistance level displayed by a suspect in scenario based training and the definitions from 1.5.
- All PPD Officers-in-training receive instruction and scenario based training on ballistic shields, crisis entry, arrest tactics, low light movement, ASI, small team tactics and ground survival (advanced DT). This includes an emphasis on de-escalation strategies where applicable.
- A presentation is provided by MCAO Bureau Chief Keith Manning on officer involved shooting investigations to include policy & procedures when involved in a critical incident. In addition, the subsequent presentation is provided by PPD personnel concerning the Critical Incident Response / Officer Involved Shooting Protocols.
- De-escalation / de-confliction scenario based training in the tactical village involving 3 different tactical events. The first involves an ex-husband violating an order of protection and threatening his former wife. This evolves into a lethal confrontation when the suspect removes a rifle from his vehicle upon the officer's arrival and attempts to force entry into the caller's home. The second is a suicidal subject with a handgun standing in his neighbor's rear yard. The officer locates the subject holding the gun to his head and immediately begins de-escalation techniques by creating distance, shielding, cover, time, etc. from the suspect. Most importantly, crisis communication begins and the request for additional resources. Lastly, a transient trespassing behind a convenience store and refusing to leave. Upon contact, the suspect will make a furtive movement from the ground, retrieve a river rock and make a threatening gesture to the officer. Again, the officer will initiate de-escalation tactics to slow the event down and de-conflict. This is a "no-shoot" scenario with the suspect ultimately complying and being arrested. With respect to the last two scenarios, the performance objectives are for the officer to make decisions to implement tactics which do not create an exigency and an ensuing lethal confrontation or unwarranted use of force incident.
- Following the above scenarios, the officer-in-training will complete a second use of force written exam and will have the opportunity to answer questions to the test while utilizing Ops Order 1.5 & ARS chapter 4. In addition, officers must articulate their use of force from scenario 1 in writing in a response designed to replicate an administrative review.

## Tactical Review Committee Report

- All lateral officers are monitored for any transitional policy issues from their respective former agencies. This is due to the fact that other agencies (specifically out-of-state) have different procedures and use of force standards which directly conflict with PPD practices and procedures. Any detected inconsistency is thoroughly vetted, analyzed and remediated with the affected officer.

## **Officer Involved Shootings January 1, 2015 to December 31, 2015:**

1. January 25<sup>th</sup>, N 39<sup>th</sup> Drive and W Verde Lane, DR #2015-00152330

Officers located an occupied 487V and attempted to stop the vehicle. The vehicle backed into the officers' vehicle on 3 separate occasions. On the 3<sup>rd</sup> instance, Officer Jansma #9573 fired through the front windshield of his patrol vehicle into the suspect vehicle. The suspect vehicle crashed and caught fire. Suspect/s fled and were not located.

2. January 27<sup>th</sup>, 4130 N. Black Canyon Freeway, DR #2015-00169150

Officers located a 211 suspect in a hotel and drew the suspect out of his room with a ruse. The suspect gained entry into his vehicle and began ramming an occupied unmarked vehicle used to box in the suspect's vehicle. Sgt. McBride #6187 and Officer Lukash #8125 fired at the suspect resulting in fatal injuries to the suspect.

3. March 7<sup>th</sup>, 1739 E. Palm Lane, DR #2015-00431802

Officers responded to a 927 call and contacted a suspect brandishing a handgun (later determined to be a realistic style pellet gun). The suspect pointed the handgun at the officers and began attempting to target an officer who sought cover. Officer Kaufman #8286 retrieved a patrol rifle and fired one round resulting in fatal injuries to the suspect.

4. March 11<sup>th</sup>, 1600 E. Van Buren Street, DR #2015-00457092

Officer responded to a domestic 239 and upon contact the suspect stabbed the officer. Officer Akins #5977 fired two rounds resulting in non-fatal injuries to the suspect.

5. March 26<sup>th</sup>, 6715 W. Indian School Road, DR #2015-00562670

Officers conducting surveillance observed the suspect exit his vehicle raise a rifle and begin firing at them. The suspect struck one of the officers resulting in a non-fatal injury. Lieutenant Frederiksen #5344, Officer Norton #5656, and Officer Johnson #6998 fired a total of 5 rounds resulting in non-fatal injuries to the suspect.

6. April 5<sup>th</sup>, 18900 N. 39<sup>th</sup> Avenue, DR #2015-00637186

Officers responded to a 901X call of a subject stabbing himself walking down a street. Upon contact the suspect raised the knives and rushed at the officers. Officer McElvain #9066 and Officer Bull #9010 fired a total of 11 rounds resulting in fatal injuries to the suspect.

7. April 10<sup>th</sup>, 4824 N. 72<sup>nd</sup> Avenue, DR #2015-00670239

Officers attempting to serve a Mental Health Pick-up Order established a barricade on the subject of the order when he refused to exit the residence. Later the subject exited the residence with a handgun and moved toward the officers. Officer Piering #7006 fired one round from his .308 rifle resulting in non-fatal injuries to the subject.

8. April 18<sup>th</sup>, 3100 N. 20<sup>th</sup> Street, DR #2015-00726529

Officers responded to a radio call of snipers in a park and located the caller in a vehicle. Records checks discovered a Mental Health Pick-up order for the suspect. The suspect barricaded himself in his vehicle. A decision was made to extract the suspect from the vehicle. During the extraction, the suspect fired a handgun at one of the officers resulting in non-life threatening injuries. Officer Hutchens #9244 fired 13 rounds resulting in fatal injuries to the suspect.

9. May 18<sup>th</sup>, 3747 E. Polk Street, DR #2015-00941670

Officers responded to a 901X call. The suspect exited the house and approached threatening with a knife. Officer Adams #6876 fired 1 round resulting in non-fatal injuries to the suspect.

10. July 9<sup>th</sup>, 2015 - 11850 N. 19<sup>th</sup> Avenue, DR #2015-01299526

Officers attempted a traffic stop for a stolen license plate affixed to the vehicle. The suspect drove an apartment complex where he exited the vehicle and pointed a handgun at officers. Officer Millsap #6113 and Officer Stewart #6591 fired 9 rounds resulting in fatal injuries to the suspect.

11. July 18<sup>th</sup>, 2015 - 4211 W. Morten Avenue, DR #2015-01360797

During a canine search for a felony Domestic Violence suspect, the canine alerted on a utility storage room. Upon entry into the storage room, the suspect pointed a handgun at Officer Bingaman #4601, who fired 6 rounds resulting in fatal injuries to the suspect.

12. July 25<sup>th</sup>, 2015 - 1334 N. 30<sup>th</sup> Lane, DR #2015-01407338

Officers responded to a Domestic Violence call for service. Officer Castillo #7323 attempted to get rear containment of the suspect's residence. The suspect exited the rear door of the residence and pointed a handgun at Officer Castillo who fired 5 rounds resulting in non-fatal injuries to the suspect.

13. August 25, 2015 – 3622 W. Berkeley Road, DR#2015-0162877

FAID detectives located the suspect who committed an Aggravated Assault on a Police Officer. The suspect was followed to the above address where he pointed a handgun at Detective Forbes, who fired two rounds from his Colt AR-15 rifle. The suspect was pronounced deceased at the scene.

14. November 13, 2015 – 2620 W. Dunlap Avenue, DR #2015-0218526

Officers responded to the Sheraton Crescent Hotel regarding a Suspicious Vehicle/Person call for service. The officers located the suspect's vehicle, and the male suspect fired multiple rounds at the officers, striking one of the patrol car twice. Officers Allen Nosal #8900 and Terry Werner #9412 returned fire with a total of 26 rounds. The suspect was not struck and was eventually captured.

15. November 23, 2015 – 8501 N. Black Canyon Hwy, DR #2015-02248342

Sergeant Brad Huskisson #5227 was working off-duty when he observed the suspect acting suspicious. The suspect fled from Sergeant Huskisson, who eventually reacquired visual contact at the above address. Officer Michael Dugan #6279 responded to assist. The suspect fired several rounds at Sergeant Huskisson and Officer Dugan, who both returned fire with multiple rounds. The suspect sustained non-life threatening injuries from gunshot wounds and was taken into custody.

16. December 20, 2015 – 6405 W. McDowell Road, DR #2015-2414307

Officers responded to a shots radio call for service during which they ultimately located the suspect, who pointed his handgun at Officer Beau Jones #7987, who fired one round at the suspect. The suspect was not struck and was taken into custody.

17. December 26, 2015 – 12220 N. 39 Avenue, DR #2015-2451757

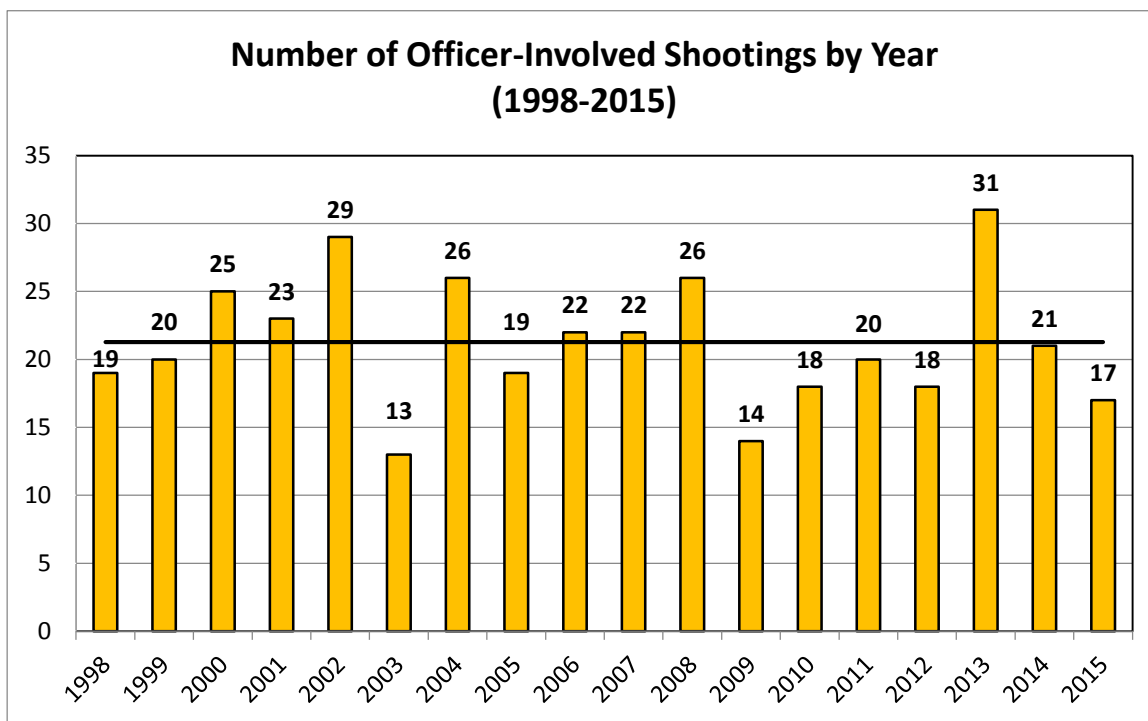
As Sergeant Mark Rivers #6869 was in a stationary position at the traffic light, the suspect threw an object at this patrol car, striking the driver's door. Sergeant Rivers requested assistance and Officer Emilio Rodriguez #6448 eventually arrived. The suspect threw a rock at Officer Rodriguez, who simultaneously fired one round, striking the suspect, who was pronounced at the scene. Officer Rodriguez was struck in the hand by the rock, causing a minor injury.

### Report Data Collection and Analysis

The Professional Standards Bureau Inspections Unit collated and analyzed data extrapolated from the Officer Involved Shooting Matrix which is completed for every OIS incident. Moreover, the Inspection unit detectives incorporated relevant information from different sources to arrive at the conclusions in the following data examination.

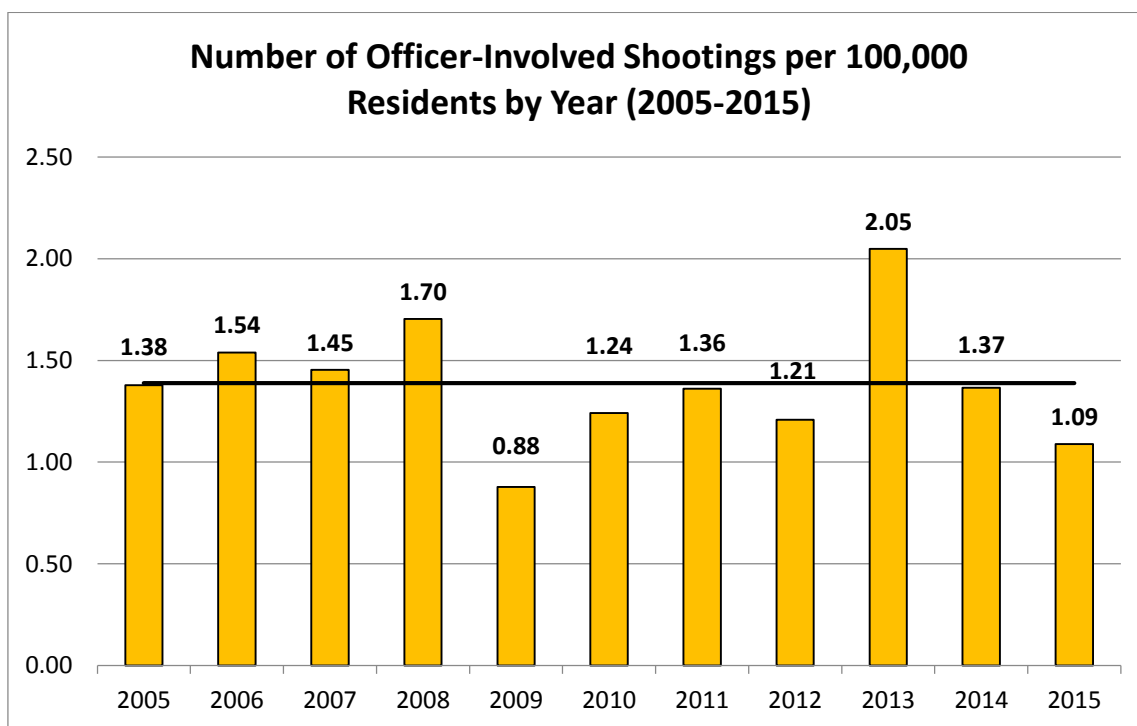
The subsequent charts, graphs and summaries depict the information gleaned from their analysis. It should be noted that the below analysis was examined and validated by Mr. David Choate, Arizona State University's Associate Director of the Center for Violence Prevention.

**Exhibit 1** displays the frequency of officer-involved shootings (OIS) involving the Phoenix Police Department dating back to 1998. The chart documents the number of OIS occurring in a calendar year for the past 18 years. There was a mean of 21.3 OIS over the 18-year span (n=383), ranging from a low of 13 in 2003 to a high of 31 in 2013. The 17 incidents in 2015 represent a 6-year low. As shown, 2003 (n=13) and 2009 (n=14) had the fewest OIS; while 2002 and 2013 remain the highest with 29 and 31 incidents, respectively.



**Exhibit 2** presents the past 11 years of OIS incidents, as measured by estimated population for the City of Phoenix. The rates are calculated by the number of OIS incidents per 100,000 residents. Population estimates were gathered from the U.S. Census Bureau's *American Community Survey*, except for 2015. The 2015 population estimate was unavailable at the time of the report, and was thus calculated from the 2014 estimate, multiplied by the past 3-year mean percent change. This procedure normalizes the number of OIS allowing appropriate comparisons over time. Crime rates are routinely calculated and reported in this manner. This procedure allows cities to be compared not just to themselves as their population changes over time, but also so that cities of different sizes can be compared to one another using a standardized measurement.

As indicated from the raw number of OIS incidents presented in Exhibit 1 above, 2009 (0.88 OIS per 100,000) and 2013 (2.05 per 100,000) were very different from the typical year. This past year, 2015, was a 6-year low and below the overall mean rate for the past 11 years (1.39 per 100,000).

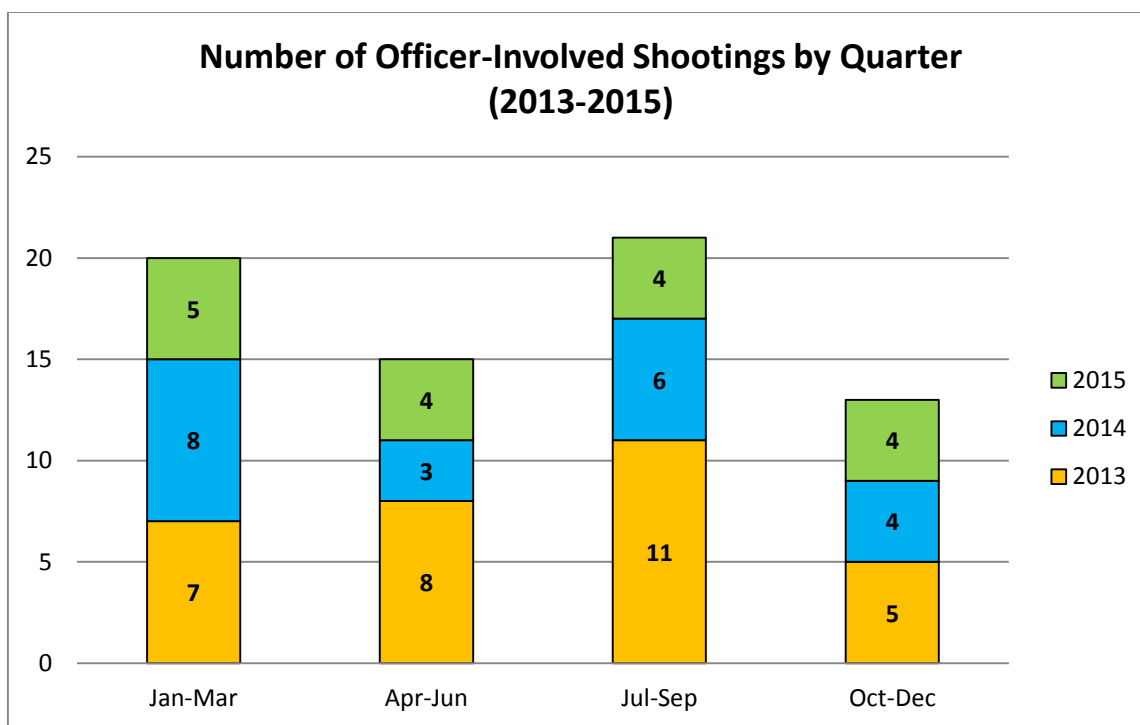




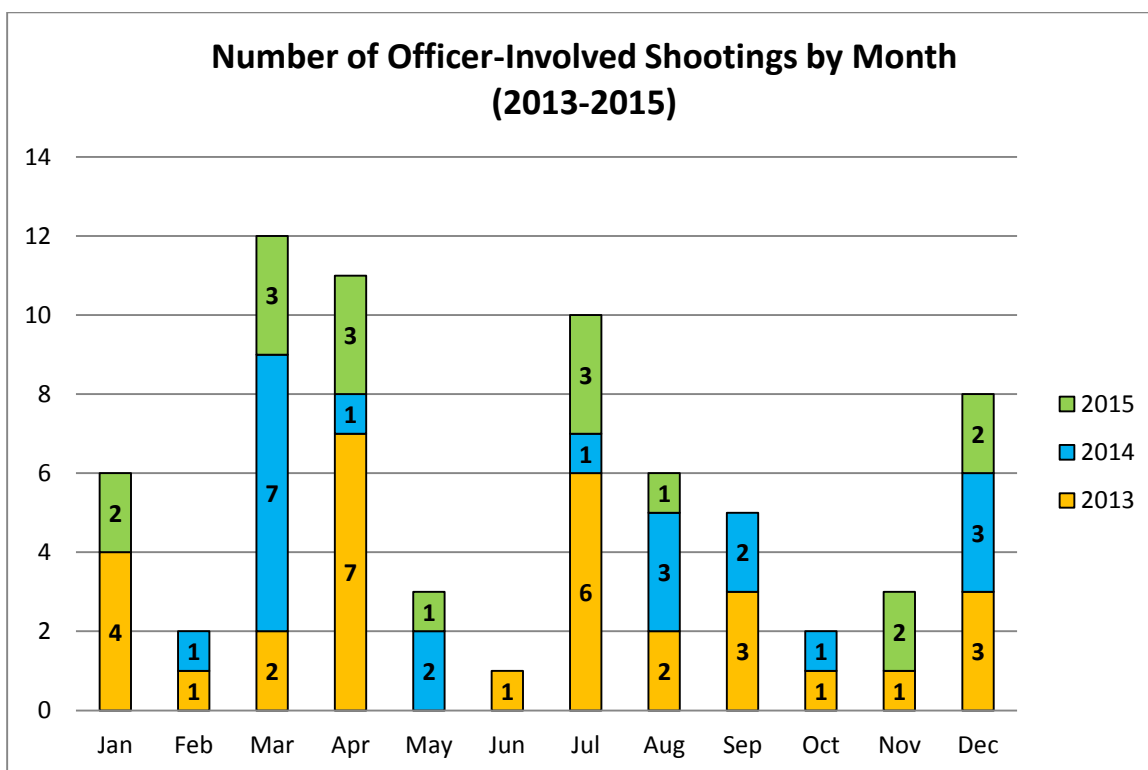
**The remaining analyses used a shorter timeframe than presented in exhibit #1 and #2, covering the current 3-year data and trends for 2013 through 2015.**

The following few exhibits present information regarding the time of the year, month, and day the OIS took place.

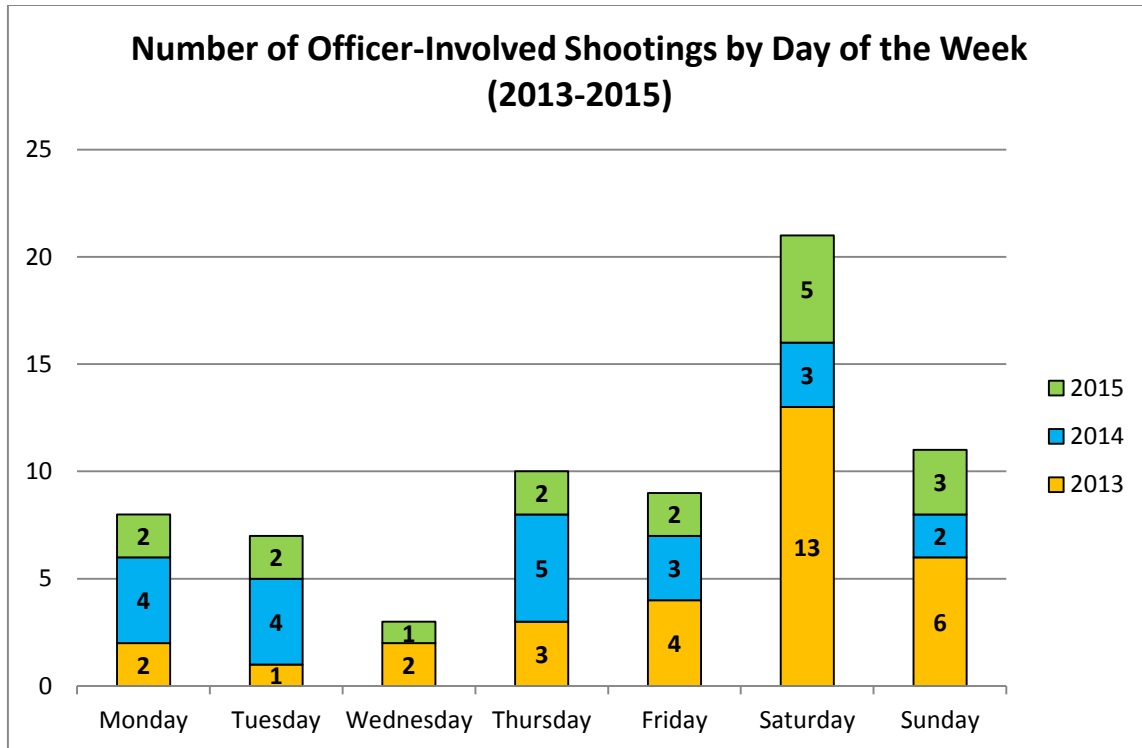
**Exhibit 3** presents the number of OIS (n=69) that occurred over the three year analysis period (2013-2015), by quarter. The analysis shows that, from the total incidents that occurred between 2013 and 2015, 20 incidents took place during the first quarter of the year (January through March). During the second quarter (April through June), 15 shootings occurred. The third quarter of the year (July through September), however, represents the period with the most incidents, where 21 of the total OIS occurred. The last quarter of the year (October through December) accounted for the quarter with the least number of shootings (13 incidents). For 2015, specifically, the distribution was fairly consistent with 5 incidents in the first quarter and 4 incidents in quarters 2 through 4 respectively.



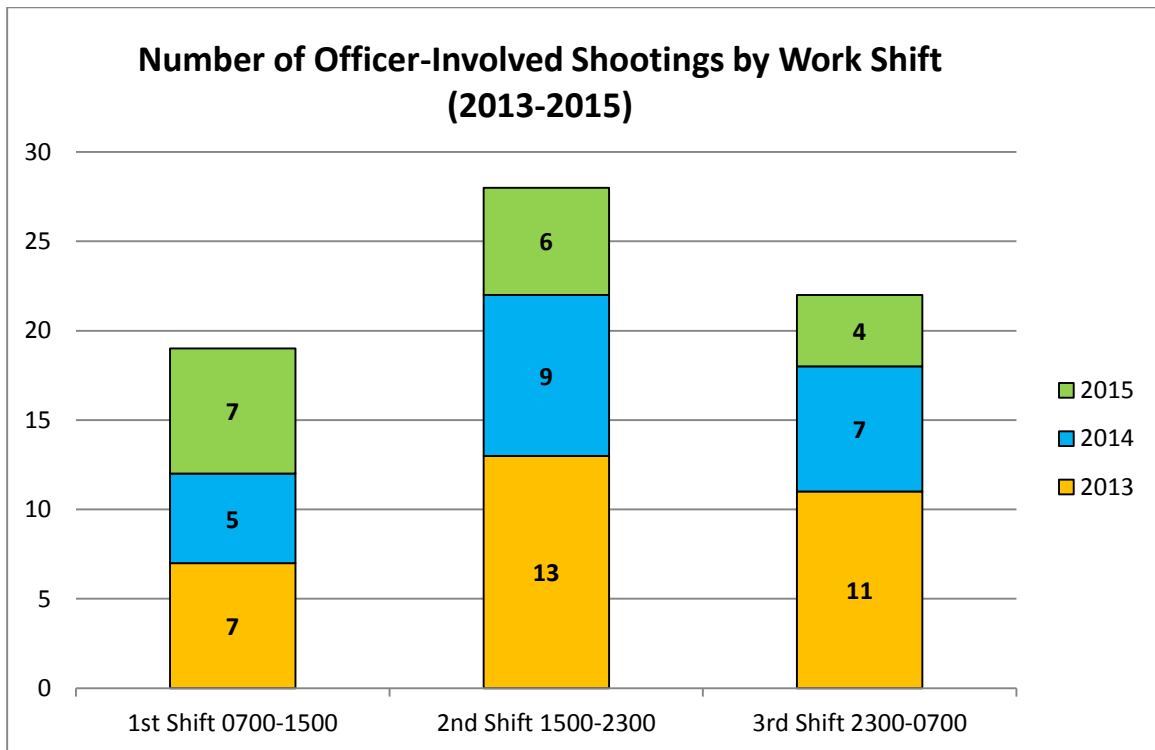
**Exhibit 4** depicts the number of OIS (n=69) by month. The exhibit shows that the month of June accounts for the least amount of OIS, with one incident occurring in this month over the three-year span. February and October accounted for the second least number of incidents (n=2 in each month), followed by May and November with three incidents each, and September with five OIS. The frequencies of each of these six months were below the overall mean of 5.75 OIS per month. January and August followed with 6 incidents in each month, December with 8, and July with 10 OIS incidents. Lastly, the months of April and March account for the most number of OIS (11 and 12 incidents, respectively).



**Exhibit 5** presents information regarding OIS (n=69) incidents by day of the week. As presented below, OIS were most likely to occur during the weekend, with Saturdays accounting for 21 incidents and Sundays accounting for 11 incidents. Aside from these two days, Thursdays accounted for the most number of incidents (10 incidents), while the remaining days of the week fluctuated from 3 to 9 incidents.



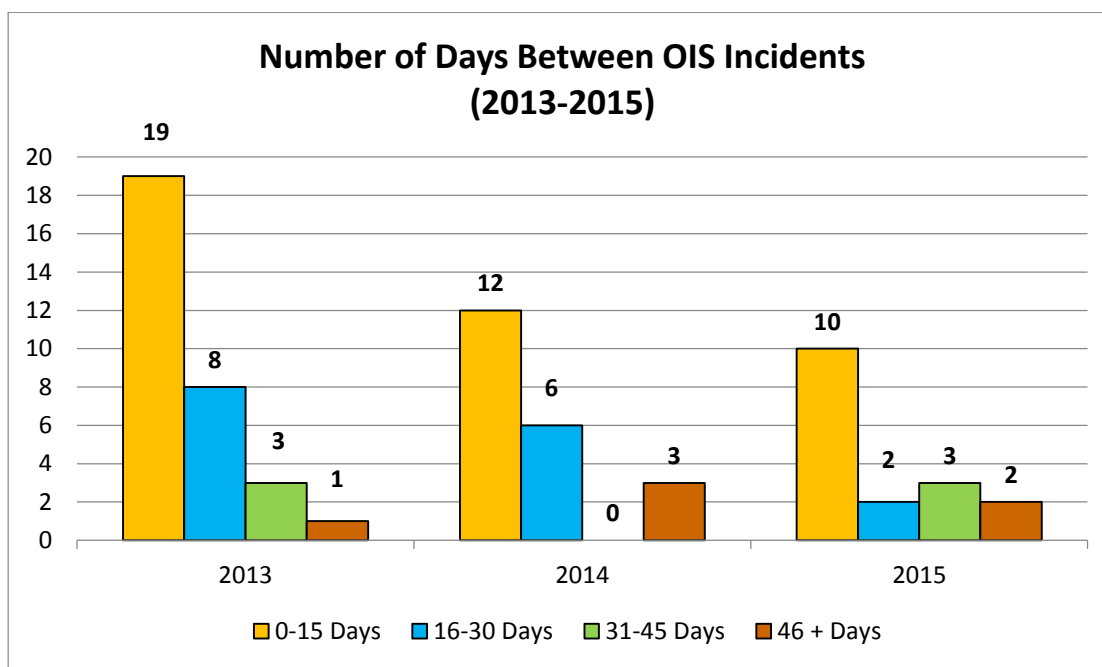
**Exhibit 6** depicts the frequency of OIS incidents by shift. Shift times vary by precinct/bureau; however, for comparative analysis year to year the listed shift times were utilized. The findings show that OIS were most likely to occur during the second shift (15:00 to 23:00 hours) and the third shift (23:00 to 07:00 hours). Throughout the three years captured in this analysis, 40.6% (n=28) of all OIS incidents (n=69) occurred during the second shift, 31.9% (n=22) occurred during the third shift, and the first shift accounted for 27.5% (n=19). In 2015, there was a slight deviation with first shift having the highest number of incidents (n=7), while second shift had 6 and third shift had 4 incidents.



**Exhibit 7** depicts the number of days between OIS incident (n=69). While displayed in a year-by-year format, the intervals were calculated continuously from one incident to the next (e.g. an OIS that occurred in December had its interval calculated until the next OIS incident, even if the next incident occurred in the following calendar year).

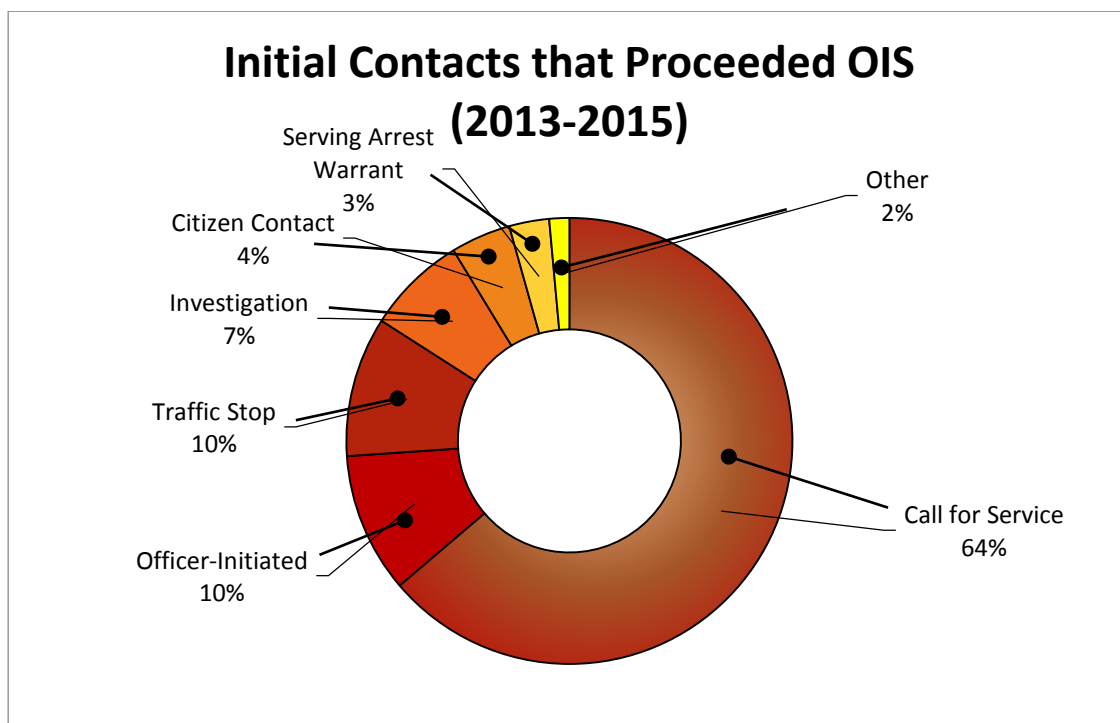
As presented, after an OIS had occurred, the incident was most likely to repeat within the first 15 days. That is, once an OIS had occurred, it was more likely for an additional incident to occur within the next two weeks.

However, as time from the occurrence of the first OIS progressed, the likelihood of an additional incident to occur decreased for most years. Overall, the average number of days between incidents was 16.7 days (SD = 17.36 days) with a median of 10 days and a maximum of 80 days between incidents.

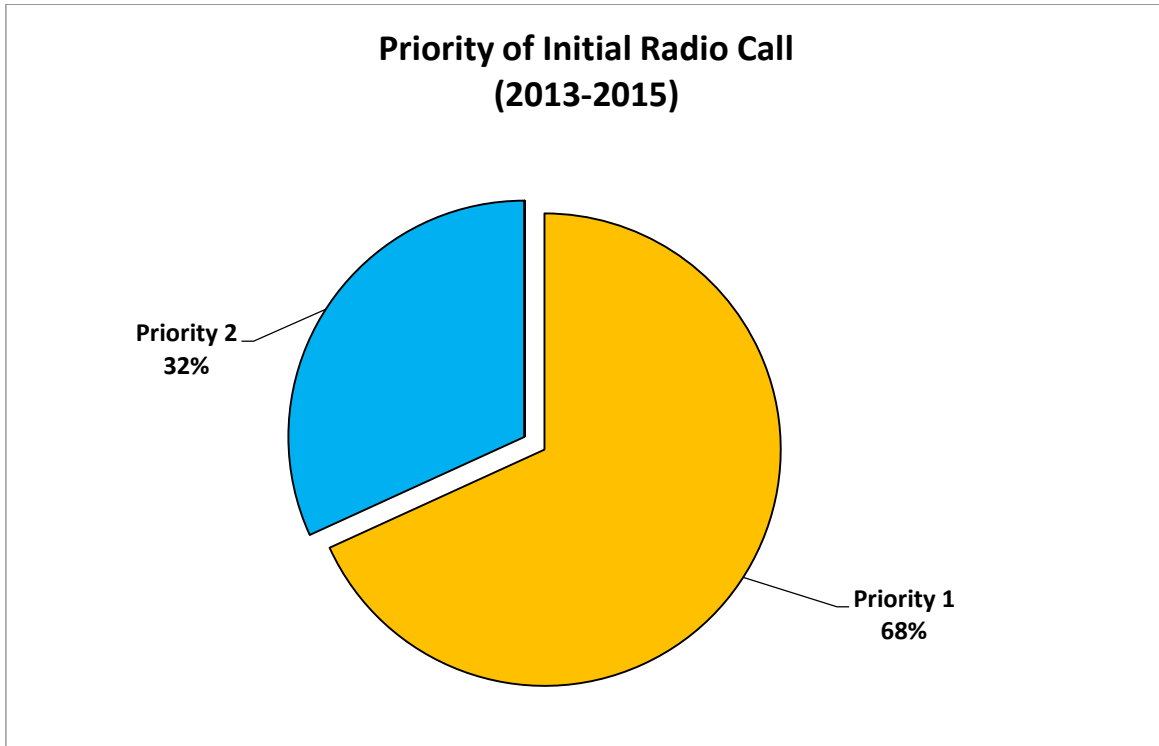


**The following exhibits display information regarding some characteristics of OIS incidents.**

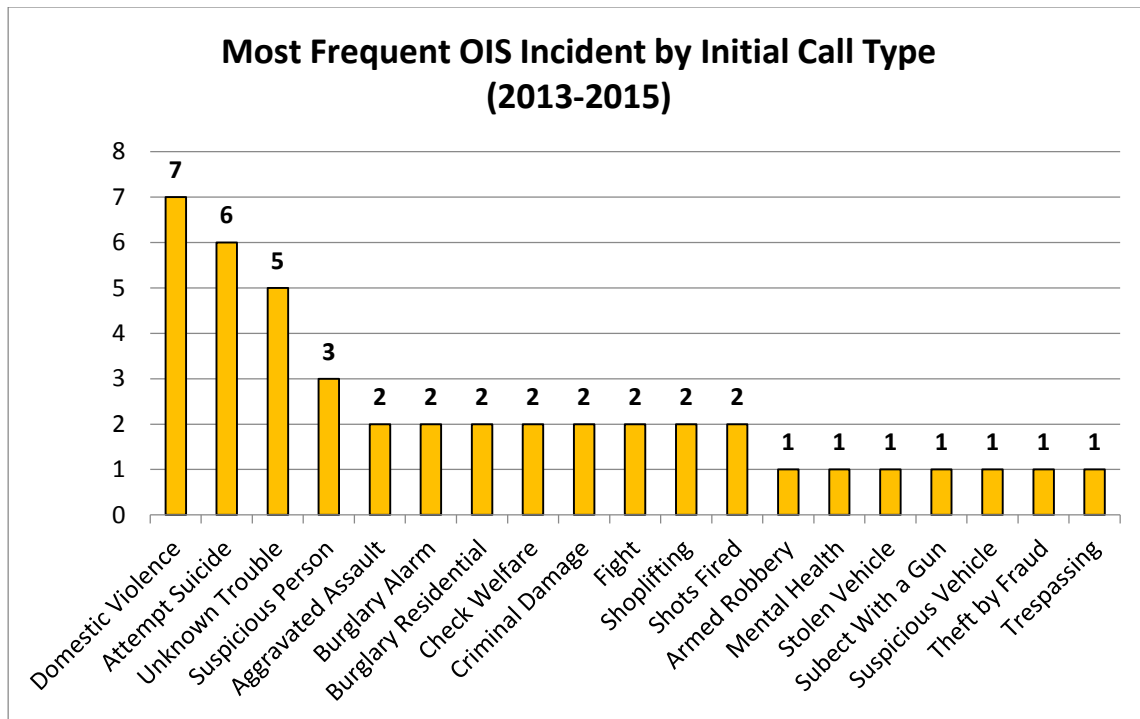
**Exhibit 8** depicts the different types of initial officer-subject contacts immediately preceding the incident. As displayed, calls for service were the most prevalent type of initial contact that preceded an incident, with about 64% (n=44) of all incidents (n=69) accounting for this form of initial contact. This was followed by officer-initiated contact and traffic stops (10%, n=7 respectively), contacts initiated through investigations (7%, n=5), citizen contacts (4%, n=3), and serving warrants (3%, n=2). One incident (2%) was categorized as “Other.”



**Exhibit 9** depicts the priority level of the calls for service that preceded OIS incidents. The majority of calls (68%, n=30) were Priority 1. The remaining initial radio calls (32%, n=14) were Priority 2. No Priority 3 calls resulted in an OIS incident.



**Exhibit 10** depicts the type of initial call for service which was examined by radio code. Of the 44 initial radio calls, the most common call that preceded an OIS was a domestic violence (7 incidents); followed by suicide attempt (6 incidents); unknown trouble (5 incidents); and suspicious person (3 incidents) round out the top of the most frequent call type list.

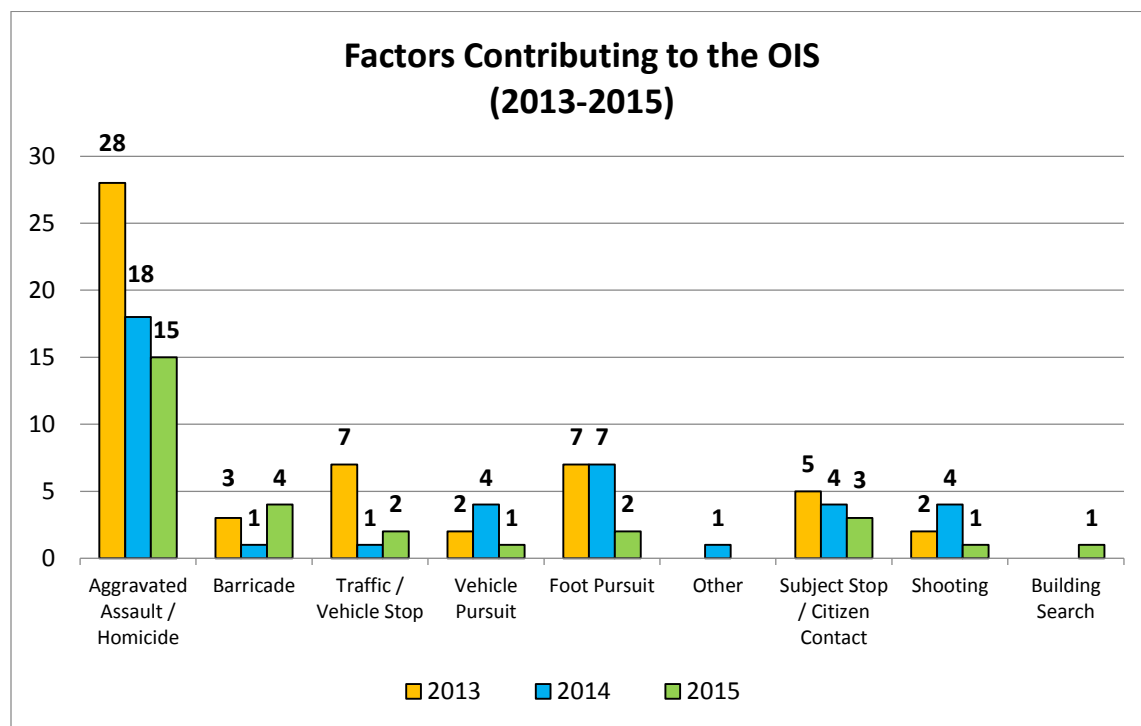




**Exhibit 11** depicts that a number of factors were identified as contributing to an OIS incident. The frequencies in which these factors were present prior to the OIS are displayed in the below exhibit. The factors are not mutually exclusive, and thus were collected similar to a “mark all that apply” list of common concerns derived from historical review of incident narratives, as well as open-entry responses to capture anomalous conditions. Thus, percentages of contributing factors are reported as a proportion of our 69 OIS incidents. This means that percentages will exceed 100% and counts will exceed 69, because individual incidents may have multiple contributing factors present.

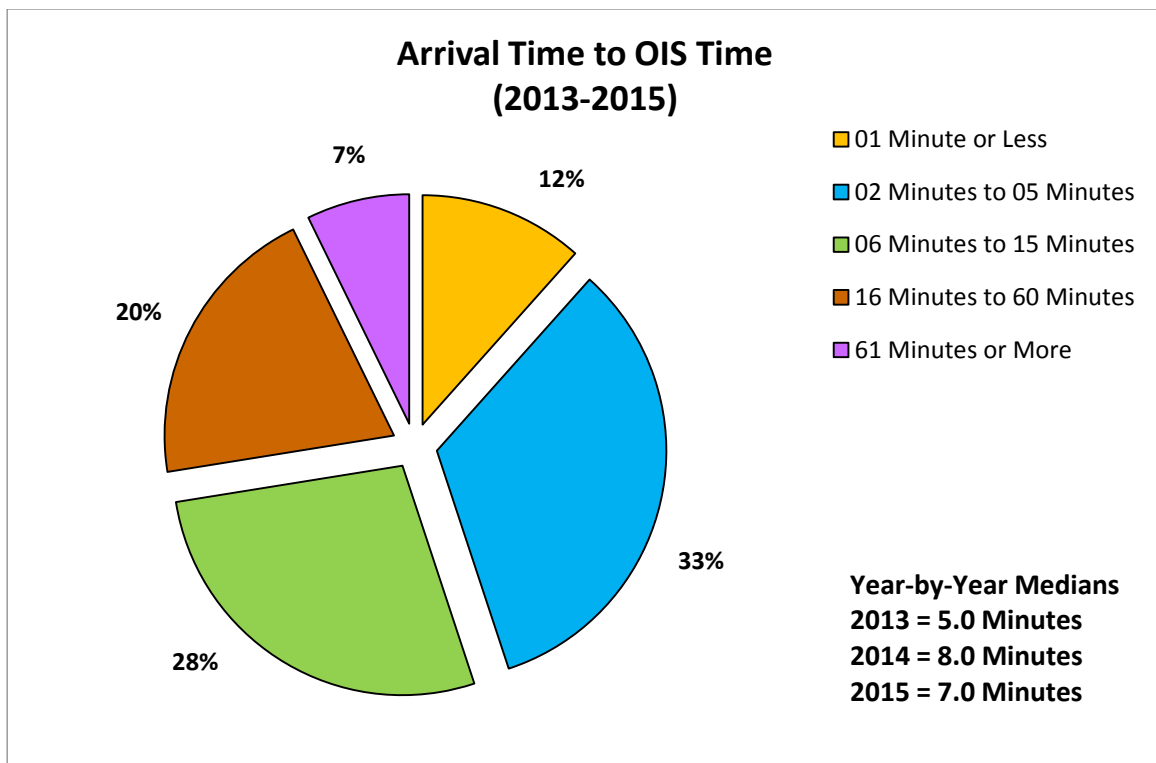
An aggravated assault or homicide was substantially the most prevalent contributing factor (88%, n=61) to an OIS incident. Foot pursuits (23%, n=16), subject stop/citizen contact (17%, n=12), and traffic/vehicle stops (14%, n=10) were the next most prevalent factors preceding an OIS.

During the six-year period from 2009 through 2014, there was an average of 1.33 barricade related shootings (n=8) per year. The number of barricade related shootings in 2015 (n=4) was double this average. In addition, from 2014 (n=1) to 2015, barricade related shootings quadrupled.



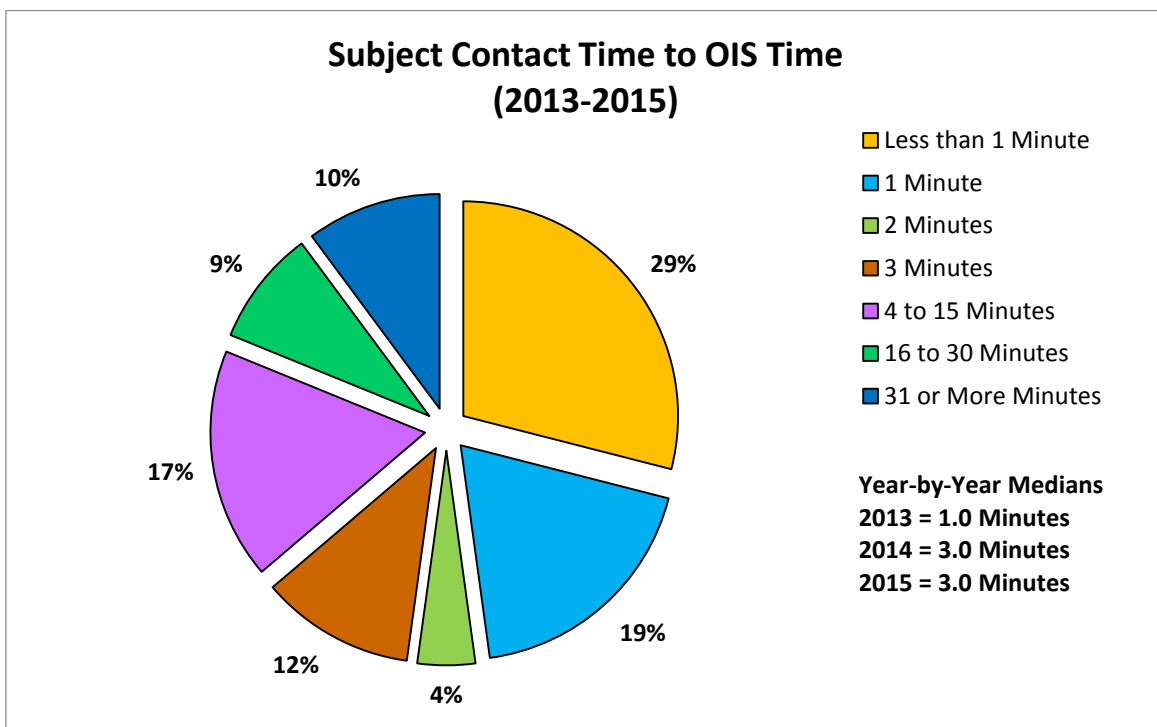
As evidenced by the contributing factors described in Exhibit 11 above, OIS incidents occur under a variety of conditions and circumstances. When examining the time of an officer's arrival on scene and the time of the OIS incident, similar variations were discovered.

**Exhibit 12** is the analysis of all 69 incidents in exhibit 11. The length of time from arrival to OIS ranged from less than 1 minute to the longest time in this examination of 3 hours and 58 minutes. Most (73%, n=50) OIS incidents occurred within fifteen minutes of an officer's arrival. Specifically, 12% (n=8) occurred in 1 minute or less, 33% (n=23) between 2 and 5 minutes, and 28% (n=19) between 6 and 15 minutes. Another 20% (n=14) of OIS occurred between 16 and 60 minutes of an officer's arrival, and finally, 7% (n=5) occurred more than an hour after the initial officer's arrival.



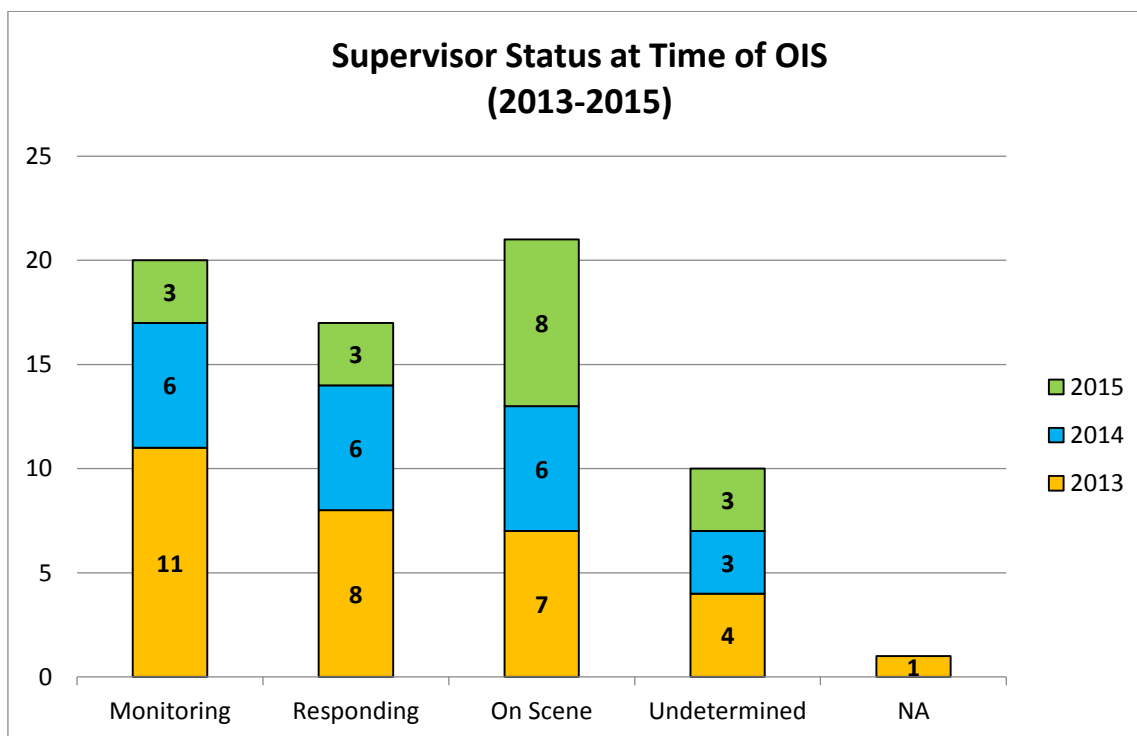
**Exhibit 13** depicts the examination of the length of time from the initial contact with the subject and the time of the OIS incident (n=69). These timeframes were substantially shorter on average than arrival time to OIS, and many incidents occurred, essentially, simultaneously with initial subject contact. For the purposes of reporting, these urgent/exigent scenarios are described as occurring in “0 minutes” from contact to OIS.

The majority of OIS incidents happen very quickly. Twenty-nine percent (n=20) of OIS incidents occurred in less than one minute from the time of initial officer’s contact with the subject, another 19% (n=13) occur in about 1 minute, 4% (n=3) in 2 minutes, and 12% (n=8) in 3 minutes. Taken together, 64% (n=44) of all OIS occurred in 3 minutes or less from the time an officer made contact with the subject.

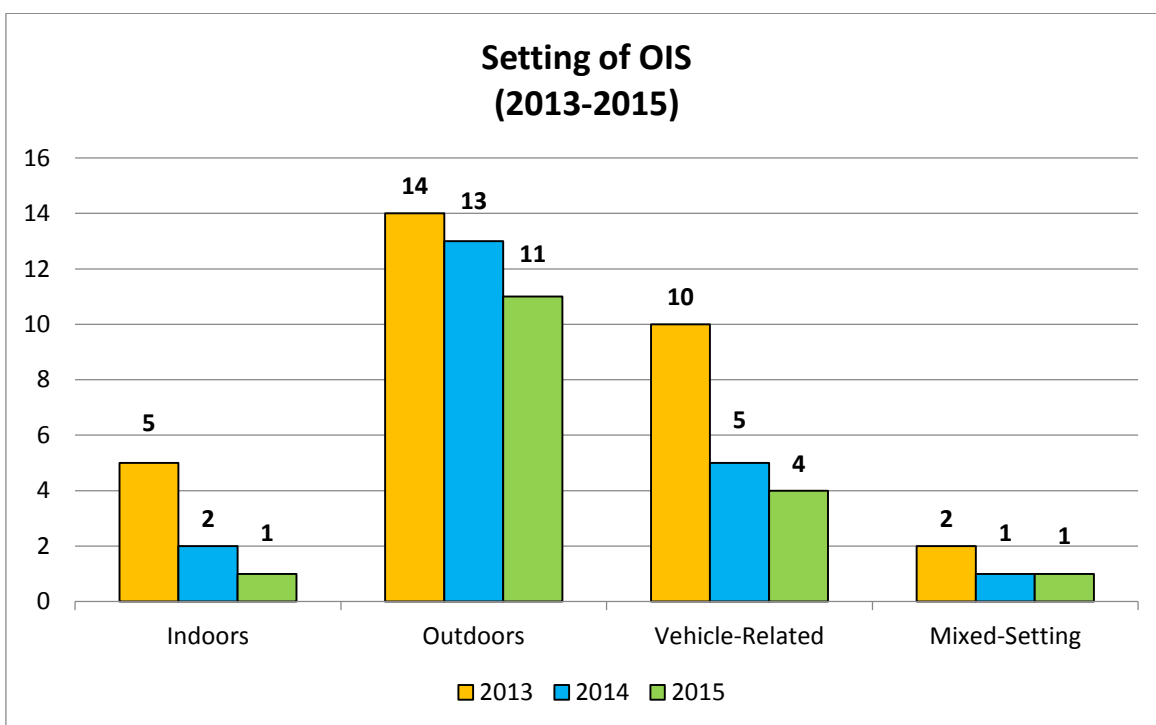


**Exhibit 14** depicts the findings of the status of the supervisor at the time of the OIS. The status of the supervisor was categorized as monitoring, responding, on-scene, undetermined, or not applicable. Monitoring would be described as “monitoring” the situation over the radio, “responding” indicates the supervisor was en route to the scene, and on-scene indicates the supervisor was on the scene at the time of the shooting. The “undetermined” category indicates that the supervisor status at the time of the OIS is unknown through official records. Finally, “not applicable” status is reserved for those situations where no supervisor activity would be expected.

Of the 69 incidents, supervisors were on the scene 30% (n=21), monitoring 29% (n=20), or responding 25% (n=17). In 14% (n=10) of the incidents, the status of the supervisor was unable to be determined (i.e. “undetermined”) because there was no clear documentation in the Computer Aided Dispatch (CAD) system or the incident narrative. In one incident, the status of the supervisor was not applicable.

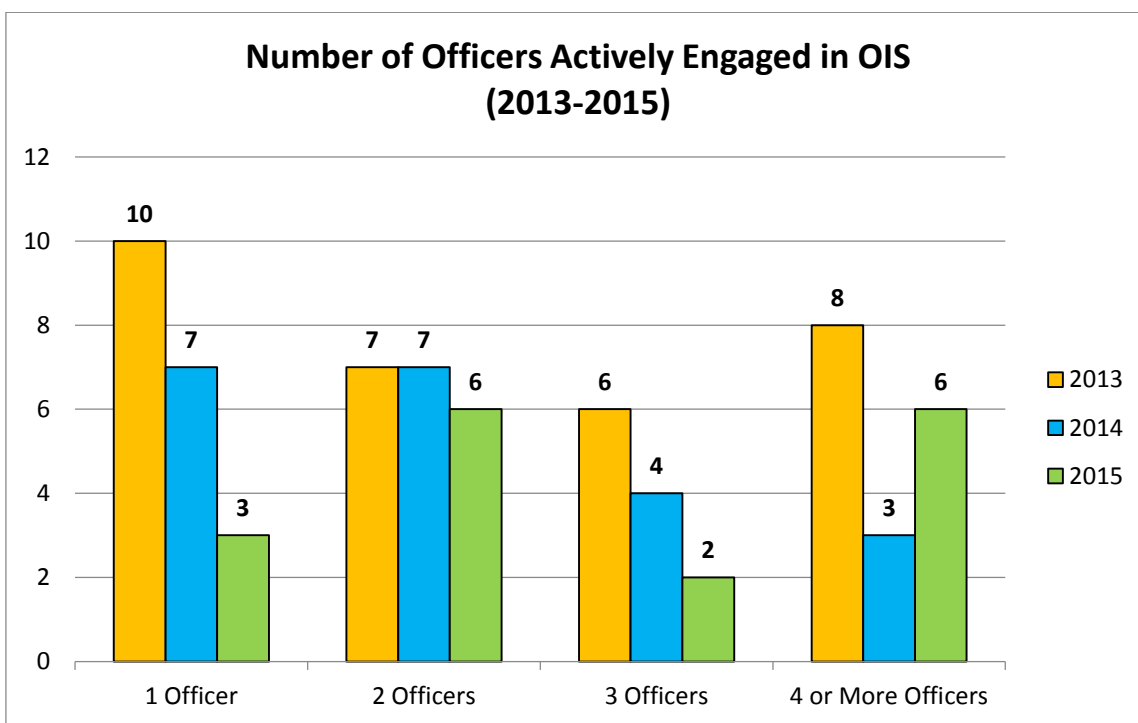


**Exhibit 15** depicts the results of the review concerning the setting where the OIS occurred. The setting was categorized into broad categories as having occurred indoors, outdoors, or vehicle-related. Throughout the three years being reviewed, outdoors was the most prevalent setting for the OIS. For example, from the total number of incidents that occurred from 2013 to 2015, 38 incidents (55%) took place in an outdoors setting. A vehicle-related setting was second most common, and consisted of an interaction of inside and/or outside of a vehicle. There were 19 incidents (28%) occurring in a vehicle-related setting throughout the 3 years. Lastly, 8 incidents (12%) occurred in an indoor setting. Additionally, the setting of 4 incidents (6%) was considered a “mixed-setting.” That is, the setting was not exclusive to an indoors, outdoors, or a vehicle-related setting, but a combination of two or three of these different settings.

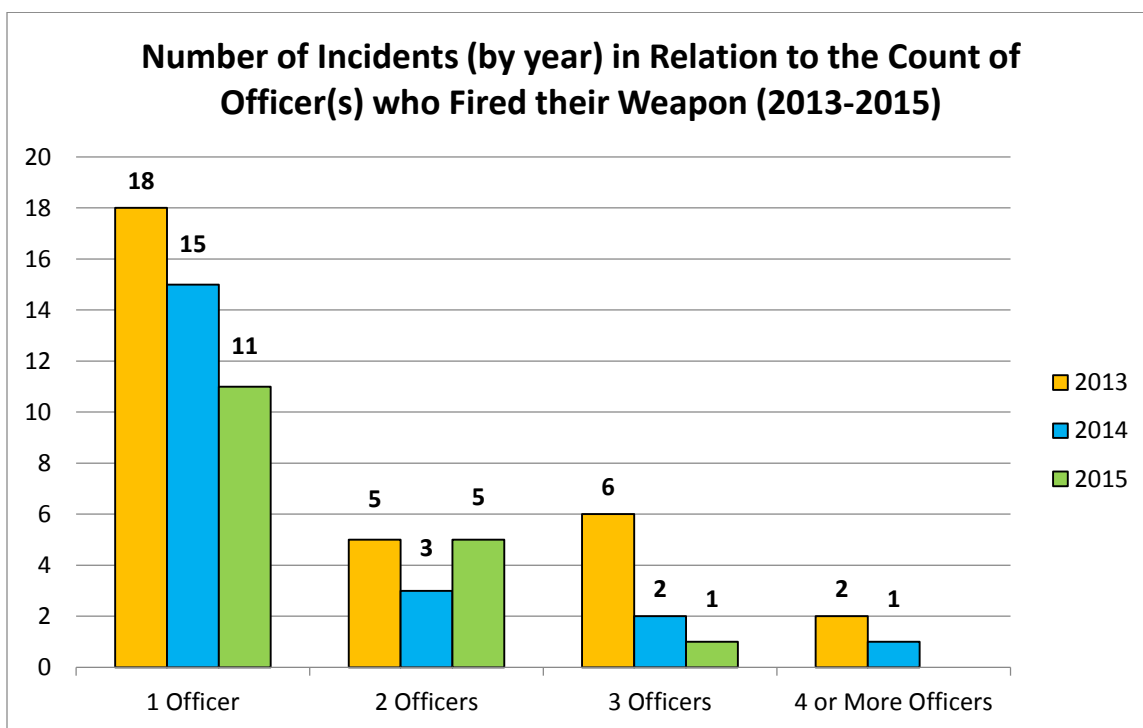


**Exhibit 16** depicts the number of officer actively engaged in the below OIS incidents. “Actively Engaged” is defined here as only those officers who were on-scene, and in reasonable proximity to have been involved in the OIS. For example, an officer who is in a physical confrontation with the subject is, of course, engaged in the OIS. In a barricade/hostage scenario, the officer across the street monitoring the subject is engaged, but the officer at the end of the block restricting traffic to the area, is not.

Among the 69 OIS incidents, 182 officers were actively engaged (mean=2.64 officers per OIS). The majority (58%) of OIS incidents included either one (29%, n=20) or two officers (29%, n=20). In 12 OIS, there were three officers involved (17%), and another 17 OIS (25%) involved four or more officers. The highest number of officers involved in any of the 69 OIS over the three years was 9 officers, and it occurred in just one incident.

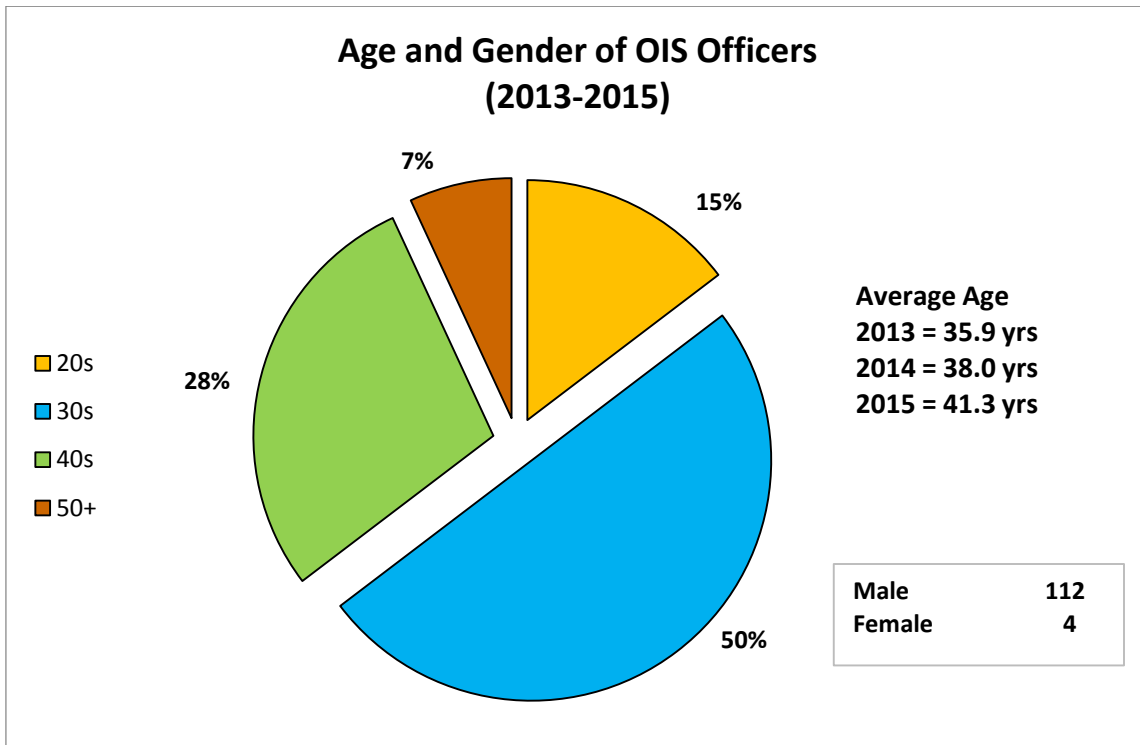


**Exhibit 17** depicts the number of officers who fired their weapon during the below OIS incidents. This analysis differs from Exhibit 16 above, in that officers may be actively engaged in the OIS incident, and may not fire their weapon. This analysis examines the number of officers among those actively engaged, who also then fired their weapon during the OIS incident. In 64% (n=44) of the total OIS (n=69) incidents reviewed, only one officer fired their weapon during the incident. In about 19% (n=13) of the OIS incidents, two officers fired their weapon, followed by incidents where three officers fired (13%, n=9), and 3 OIS incidents (4%) had four or more officers having fired their weapon.



**Exhibit 18** displays the age and gender distribution of OIS officers. The majority of OIS officers were male (97%, n=112), and the remaining percentage of OIS incidents was attributed to 4 female officers. About 15% (n=17) of OIS officers were aged 20 to 29, and 50% (n=58) were aged 30-39. Officers in their 40's accounted for another 28% (n=33), and only 7% (n=8) of OIS officers were aged 50 or older.

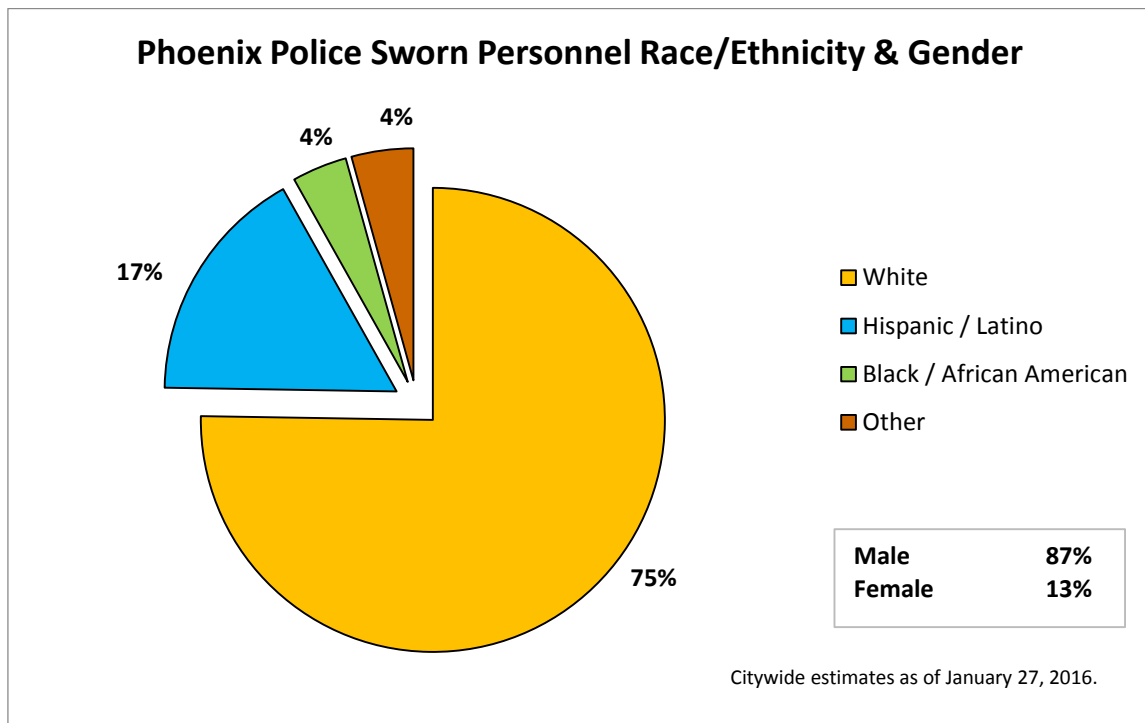
Overall, there were 116 officers who fired their weapon in an OIS from 2013-2015.





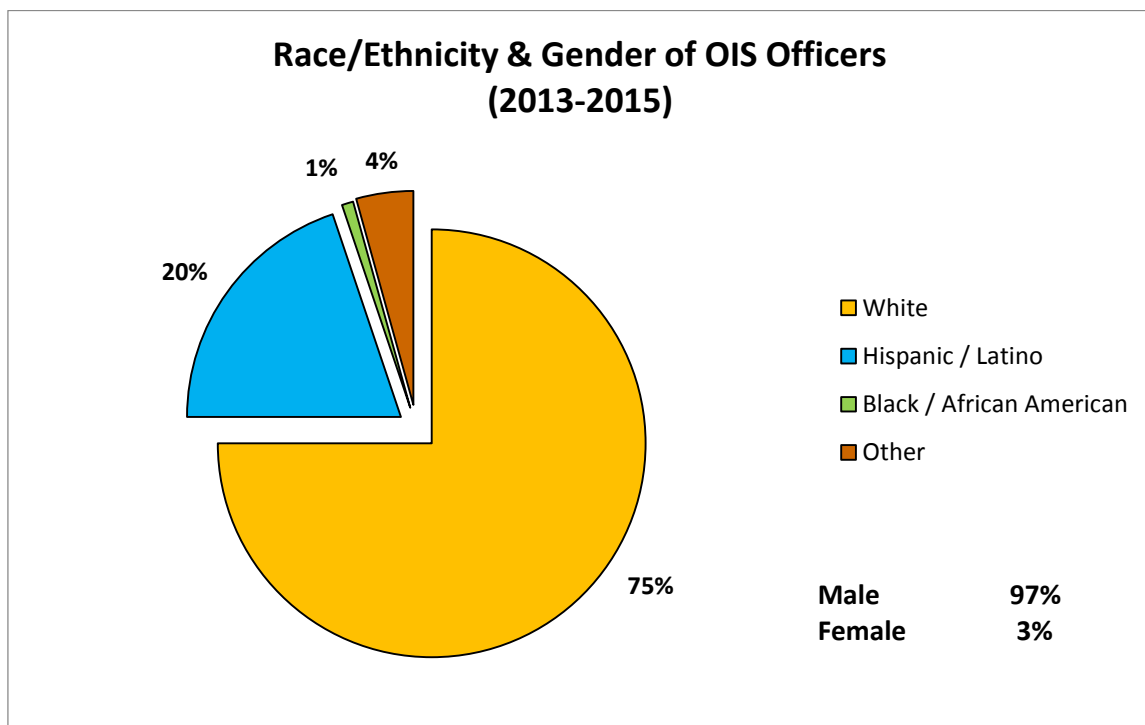
**Exhibit 19** displays recent (January 27, 2016) estimates for Phoenix Police Department sworn personnel (n=2,716). This exhibit does not reflect an average distribution over the three-year analysis period. The race and ethnicity identification was derived from officers' self-reported identification in official departmental employment records. Overall, about 87% of PPD sworn personnel were male (n=2,368), and 13% female (n=348).

Three-quarters of officers were White (75%, n=2,044) followed by about 17% Hispanic/Latino (n=451). Black/African-American officers (n=104) accounted for about 4%, and the remaining 4% of officers were categorized as Other (n=117) for this report. Those officers who identified themselves as any of the following race/ethnicities were coded as Other, principally due to the small number of officers in these groups, and the interest of limiting inappropriate identification of any particular individual. The other category included all of the following: American Indian, Native American, Alaskan Native, Asian, Native Hawaiian or Pacific Islander, mixed, or other.

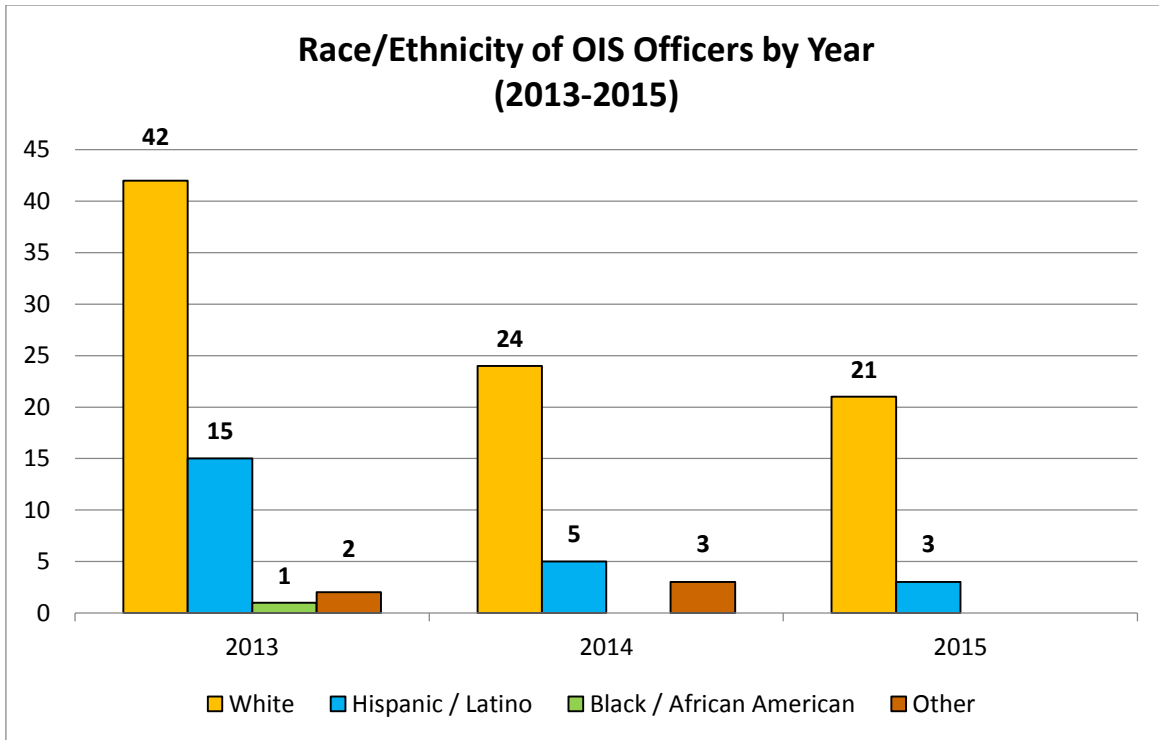


**Exhibit 20** displays the race/ethnicity of OIS officers (n=116) over the three-year analysis period. Similar to Exhibit 19 above, the race/ethnicity of officers was determined using self-reported identification from official departmental employment records. There were small differences in the proportion of officers who were involved in a shooting, when compared to citywide sworn distributions. Overall, 75% of OIS officers were White (n=87), 20% were Hispanic/Latino (n=23), approximately 1% was Black/African-American (n=1), and 4% Other (n=5).

Three percent (n=4) of OIS officers were female. This is significantly lower than the predicted prevalence rate, given that female officers account for 13% (n=348) of all Phoenix sworn personnel.

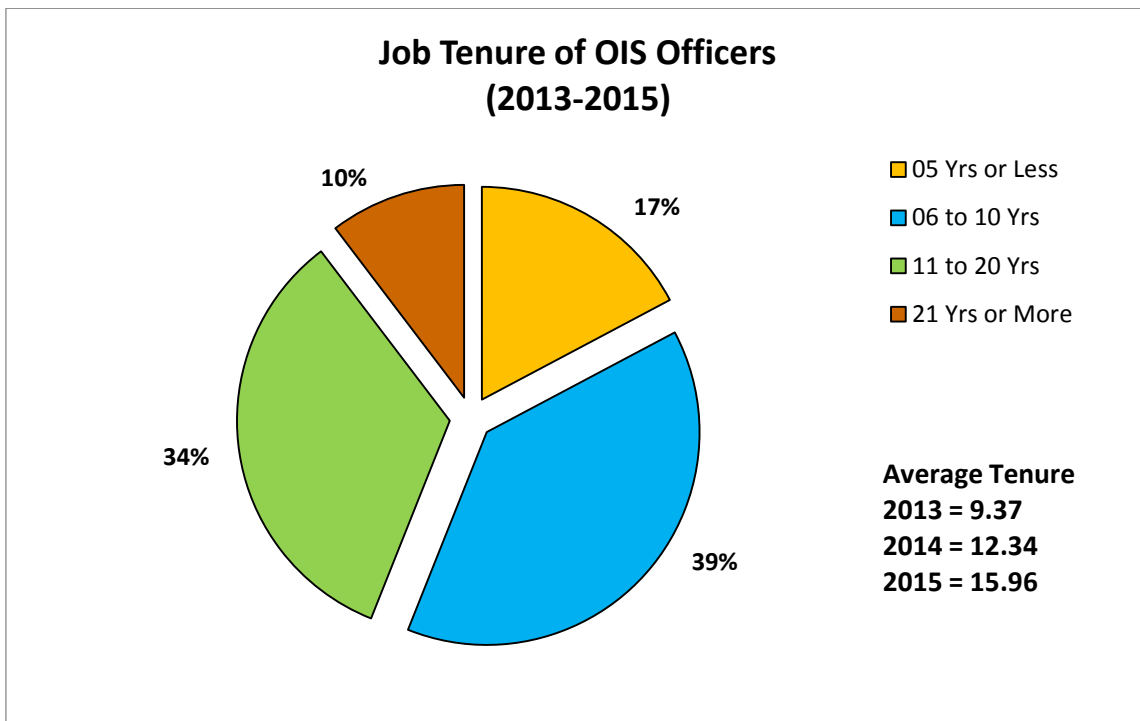


**Exhibit 21** displays the race/ethnicity of OIS officers (n=116) and their distribution by year, from 2013-2015. As above, officers' race/ethnicity was determined using self-reported identification derived from official departmental employment records. In this chart, the review illustrates the year-by-year frequency, rather than overall percentage distribution of race/ethnicity.

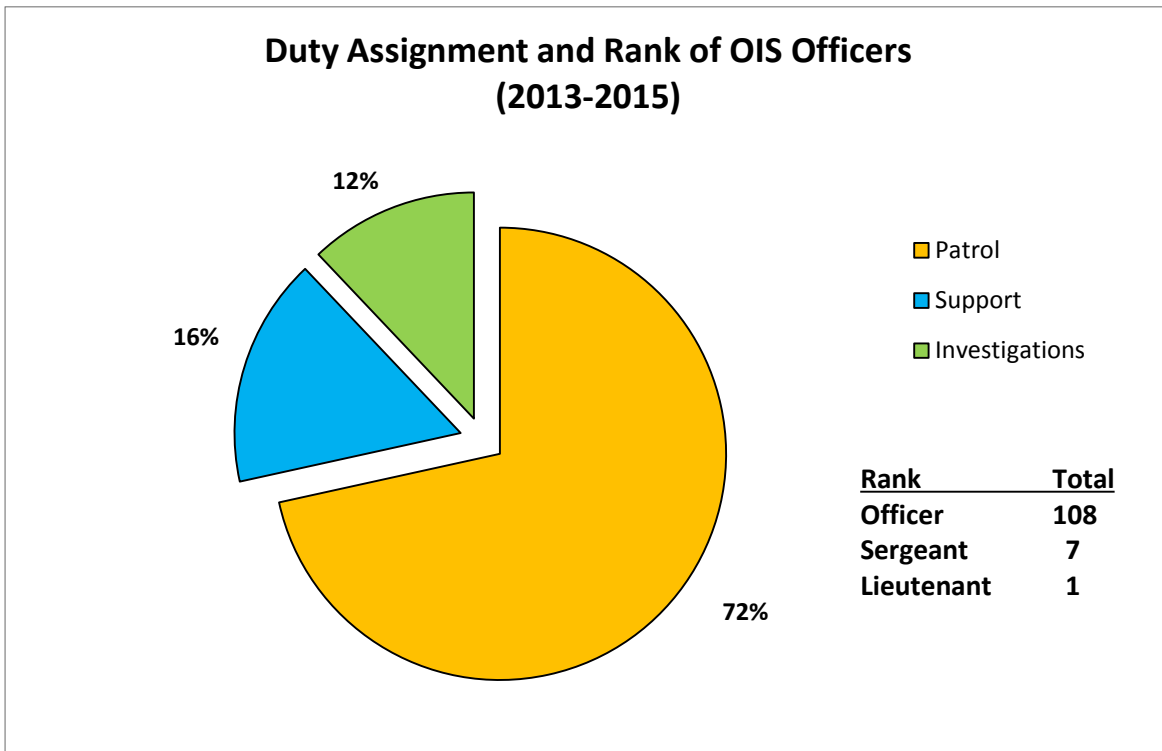


**Exhibit 22** displays the categorized years of service (i.e. job tenure) of OIS officers (n=116), calculated at the time of the OIS. Approximately 56% (n=65) of the officers who had been involved in an OIS had been an officer for 10 years or less. Specifically, 17% (n=20) had been an officer for 5 years or less at the time of the OIS, and 39% (n=45) were on the job from 6 to 10 years. Another 34% (n=39) of OIS officers were tenured 11 to 20 years, and the final 10% (n=12) of OIS officers had 21 or more years' experience.

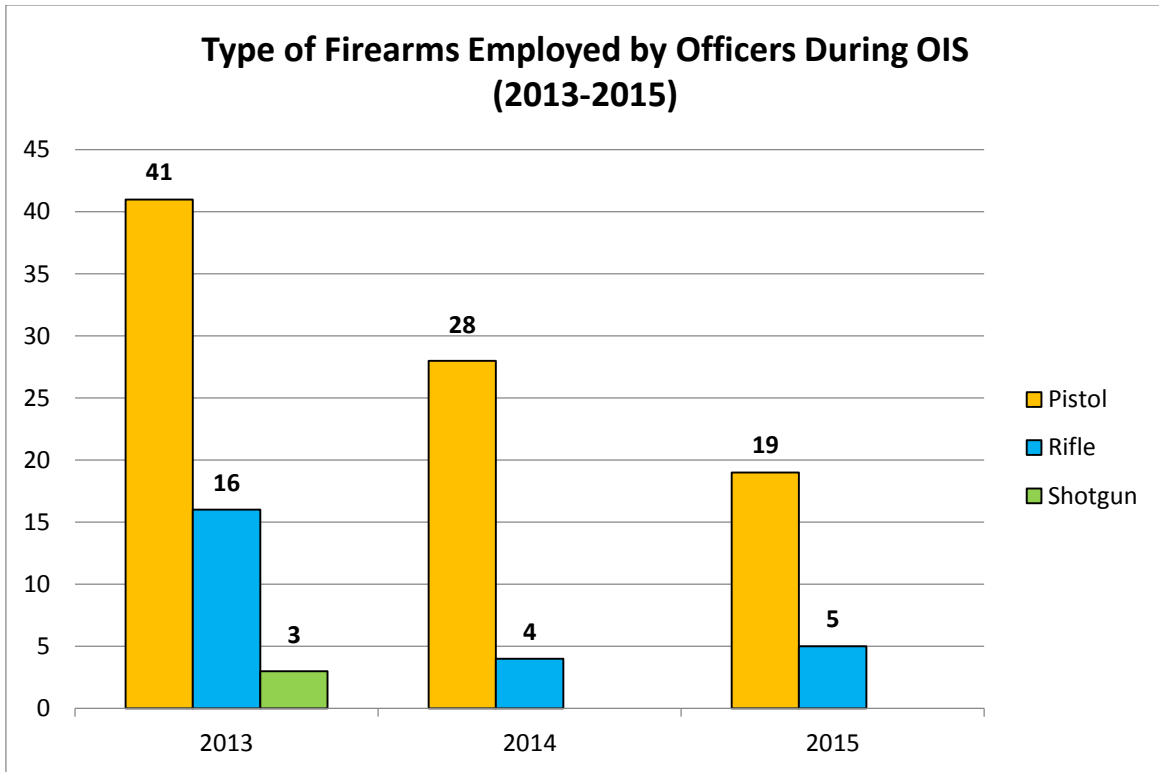
It should be noted, during the timeframe of the OIS analysis (2013-2015) the Phoenix Police Department hired very few officers due to budgetary constraints.



**Exhibit 23** examined the OIS officers' assignment capacity (i.e. patrol, support, or investigations) and rank. The substantial majority of OIS officers (n=116) were of "officer" rank (93%, n=108). The remaining involved employees were sergeants (6%, n=7) and one lieutenant (1%). Similarly, the majority (72%, n=83) of officers involved in an OIS were working in a patrol capacity at the time of the OIS incident. Officers assigned to support and specialty units (e.g. K-9 or SAU) represented 16% (n=19) of OIS officers, followed by investigators (12%, n=14).

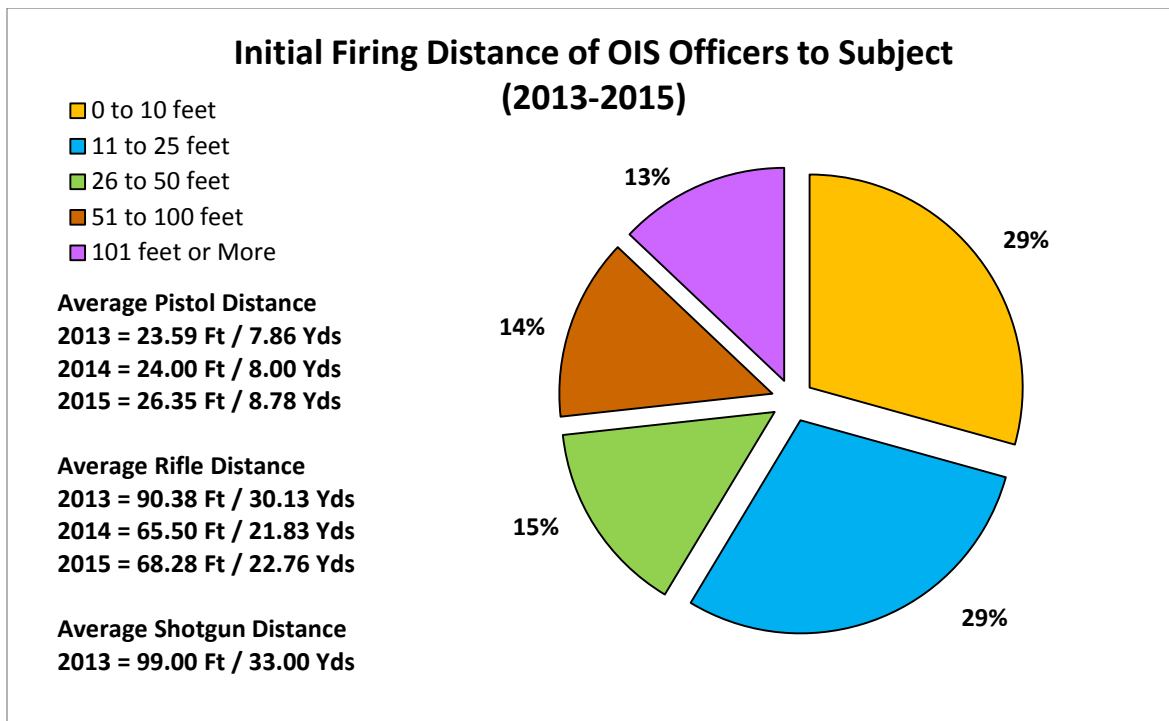


**Exhibit 24** displays information concerning the type of firearms used by officers (n=116) during OIS incidents from 2013 through 2015. Approximately 75.9% (n=88) of officers involved in an OIS used a pistol. The remaining 24.1% (n=28) of officers used either a rifle (21.6%, n=25) or a shotgun (2.6%, n=3). This distribution was consistent throughout the three year analysis period.



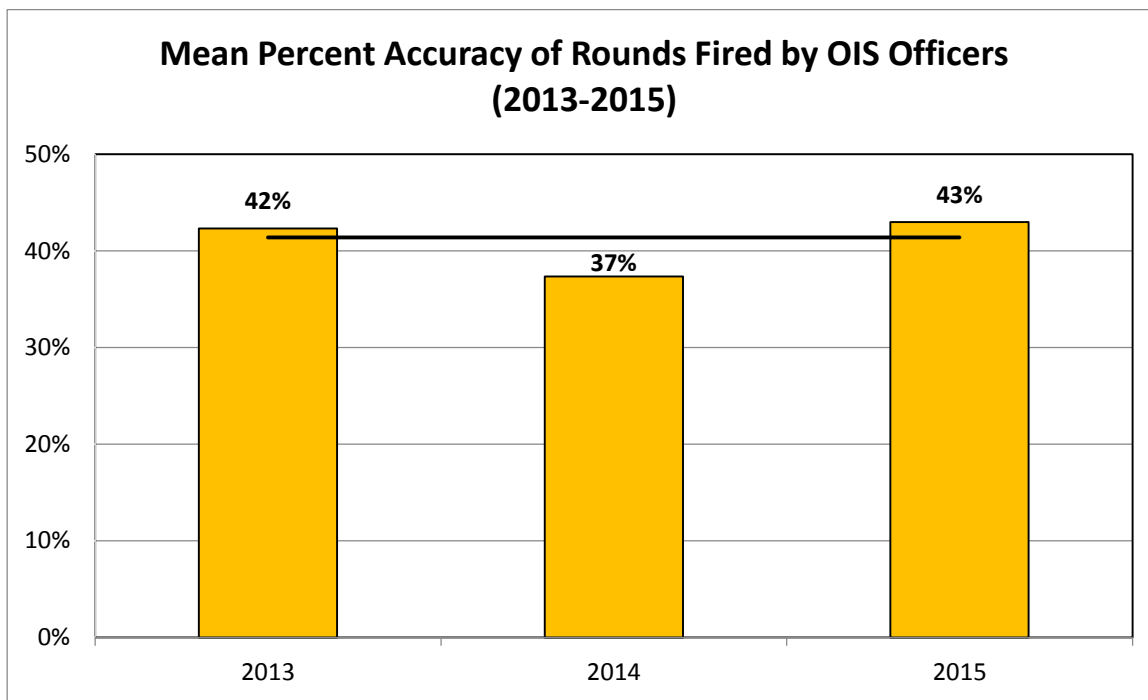
**Exhibit 25** displays the initial firing distances, grouped into five mutually exclusive categories, using data from 116 officers. Approximately 29% (n=34) of OIS officers reported an initial firing distance from the subject of 10 feet or less. Another 29% (n=34) of officers were at an initial firing distance of 11 to 25 feet. About 15% (n=17) of officers were at a range of 26 to 50 feet, and 14% (n=16) were from 51 to 100 feet away. Only 13% (n=15) of officers reported an initial firing distance of more than 100 feet.

The average distances for each weapon type are listed in the chart by year. Additionally, the median distances for each weapon type are also listed by year.



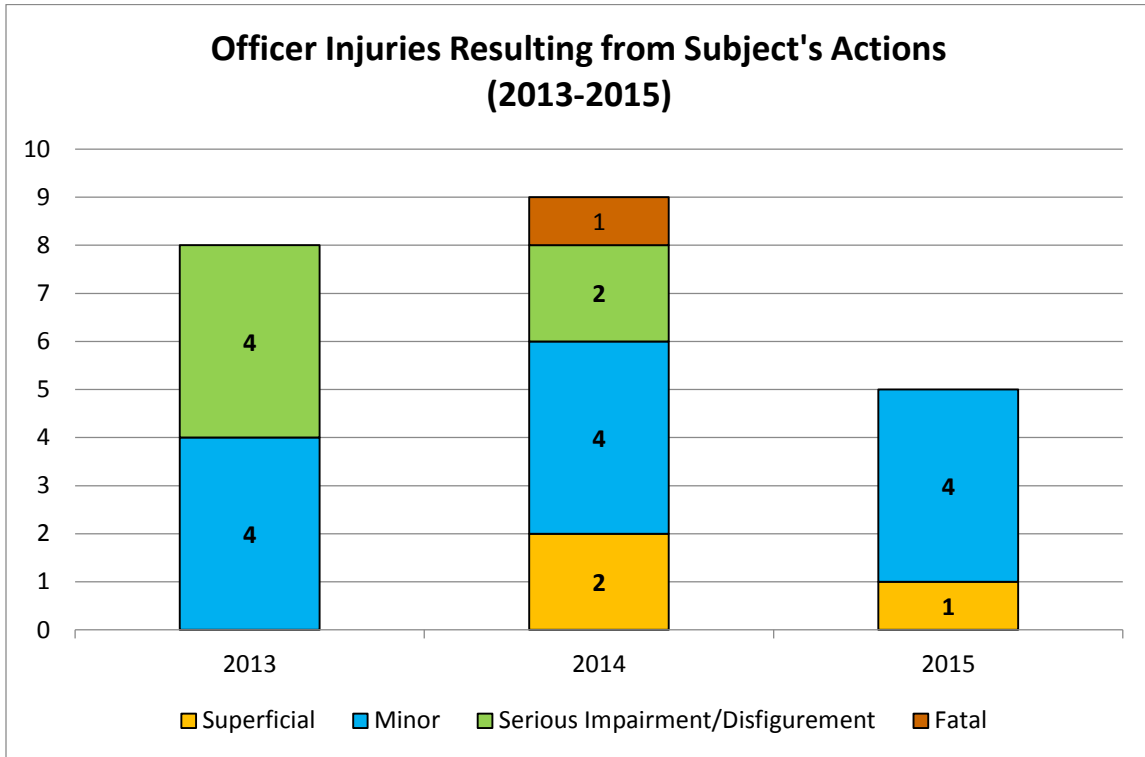
	2013	2014	2015
<b>Pistol</b>	12.00	13.50	19.00
<b>Rifle</b>	71.00	59.50	53.00
<b>Shotgun</b>	106.00		

**Exhibit 26** depicts the mean percent accuracy of rounds fired by officers for each year. Accuracy rates were calculated from known rounds fired and rounds actually hitting a subject, as determined through the OIS investigation. The investigative process for this calculates the number of rounds both reportedly fired by each officer, as well as, a count derived from a post-shooting weapon inspection. This can be complicated by the fact that some officers will not fully load a magazine – a tactic that preserves the lifespan of the magazine – which changes the denominator when trying to determine the number of rounds fired by counting the number of rounds not in the magazine. Actual hits are measured principally by medical reports of the injuries, in an effort to determine which and how many injuries resulted from a unique round. For example, a single round fired may actually cause two injuries (e.g. passing through the hand and entering the body), which may falsely inflate accuracy, or could exceed the number of rounds fired. Trying to confirm and reconcile these two measures is inherently difficult and imperfect. Due to these measurement imprecision issues, any shooting result that was left with an undetermined number of rounds as hits or misses, were excluded from calculations (n=9). The overall mean accuracy of rounds fired was 41.4%

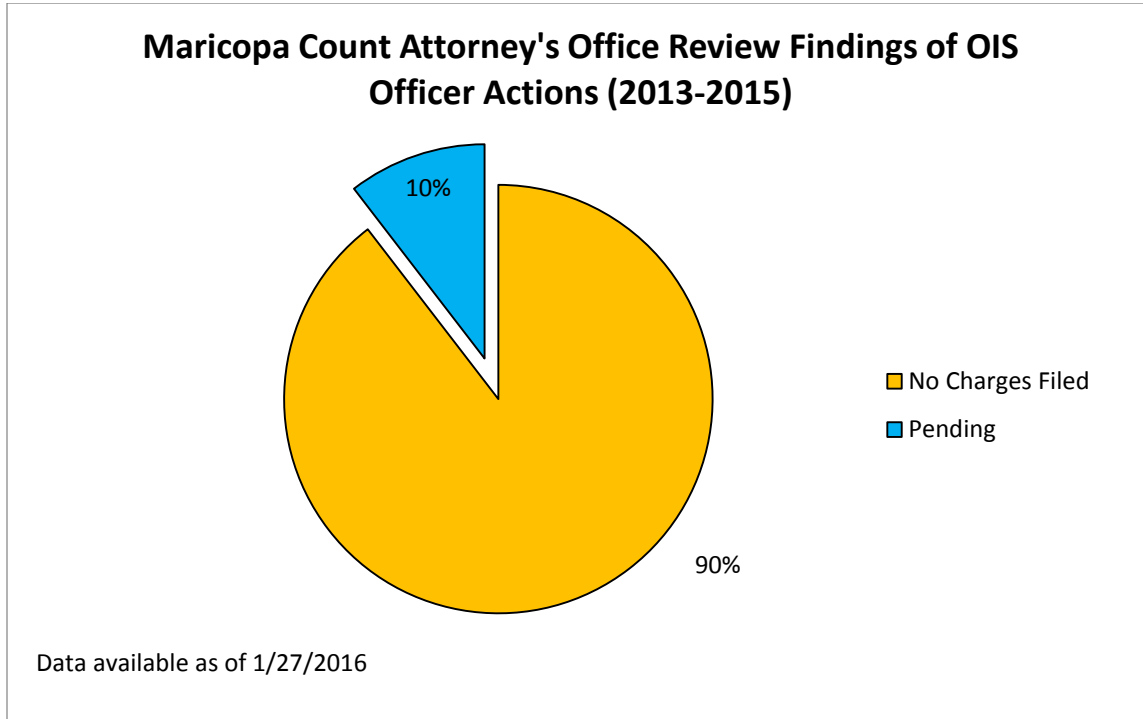




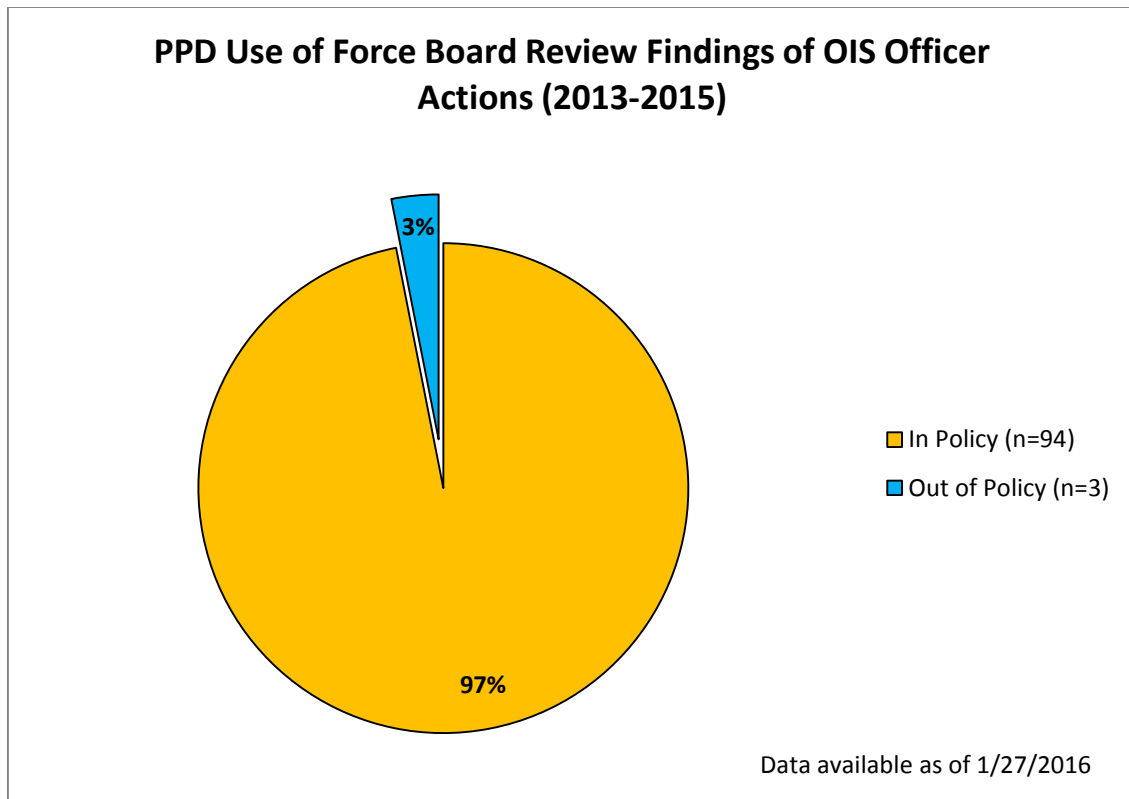
**Exhibit 27** shows the number of injuries by severity for the three year period of review. In 2013, several officers sustained serious injuries (n=4). In 2014, two officers sustained serious injuries and one officer was killed. In 2015, one officer sustained a superficial injury and four officers sustained minor injuries.



**Exhibit 28** illustrates the results of the Maricopa County Attorney's Office (MCAO) review of OIS incidents. As of January 27, 2016, the MCAO had reviewed the actions of 103 out of the 115 OIS officers and found none of the officers had committed any act that warranted criminal prosecution. The remaining OIS incidents are pending review by MCAO. Therefore, 12 officers had not yet received an MCAO determination.

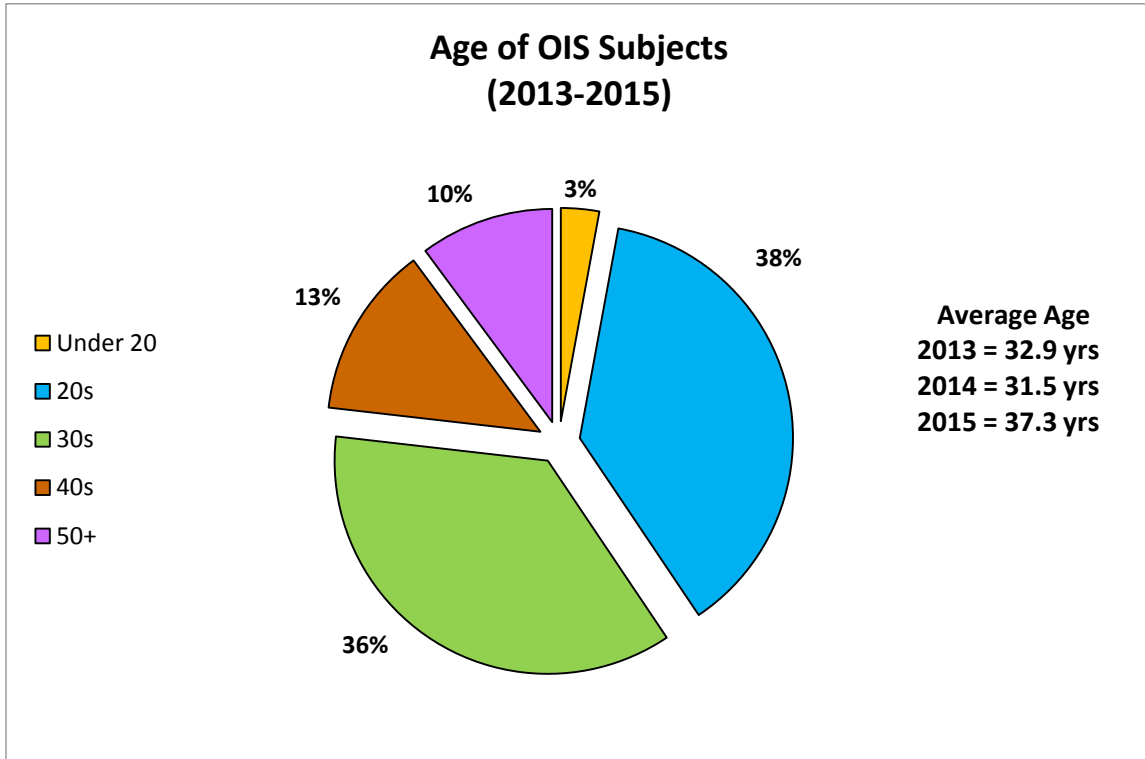


**Exhibit 29** depicts the findings of the Officer Involved Shooting (OIS) incidents reviewed by the PPD's Use of Force Board (UFB). Of the 115 OIS officers, the UFB found 97% (n=94) to have acted in accordance with departmental policy regarding use of force. It was determined that 3% (n=3) of officers had acted out of policy. As of January 27, 2016, eighteen of the officers' actions had not been reviewed by the UFB. One officer was killed during the OIS incident and a review was not applicable.

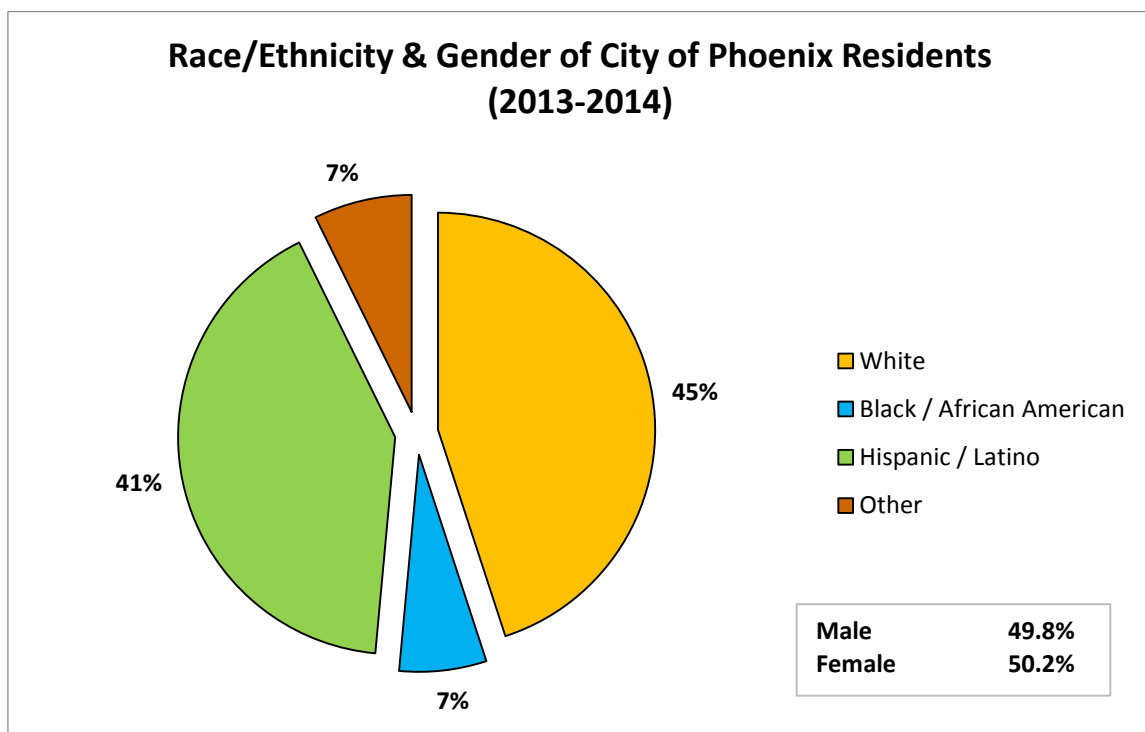


**Subject Related Exhibits - The following exhibits provide information related to the 71 subjects involved in OIS events during the 2013-2015 review.**

**Exhibit 30** displays the age of OIS subjects. The largest age group represented were aged 20 to 29 years (38%, n=26), followed by those subjects in their 30's (36%, n=25). About 23% were either in their 40's (13%, n=9), or 50 or older (10%, n=7), and the smallest age group were aged under 20 (3%, n=2). There were 2 subjects whose ages were undetermined, and were excluded from the analysis.



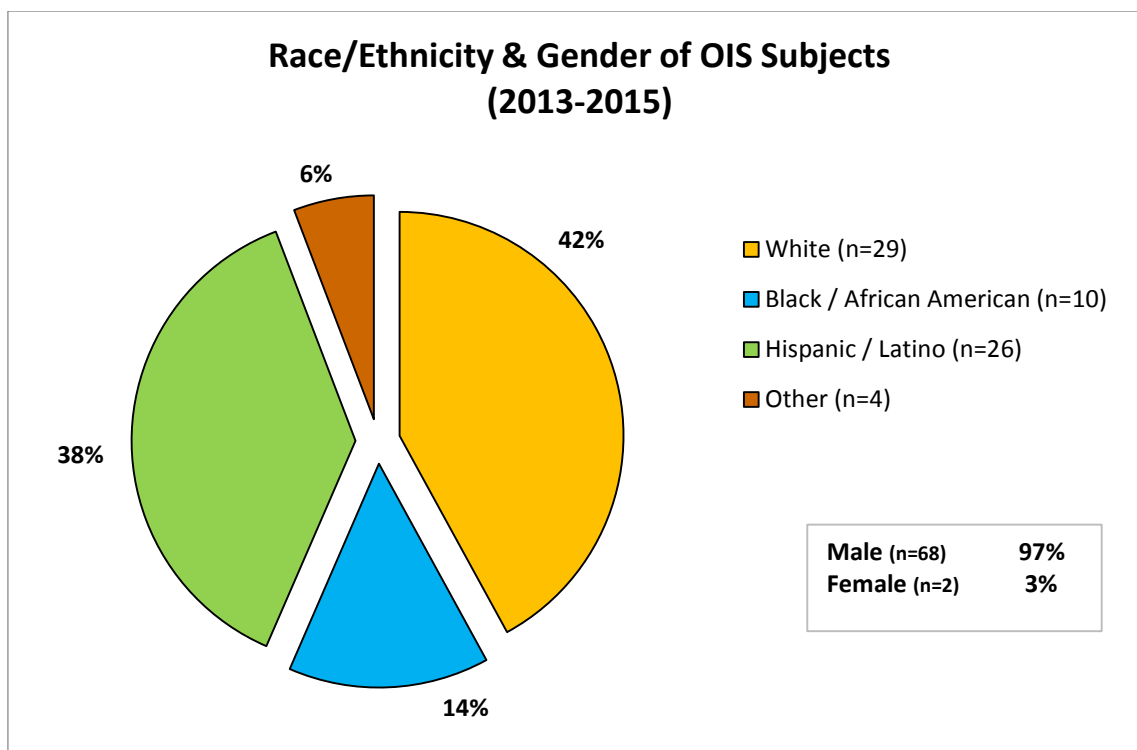
**Exhibit 31** displays the citywide population estimates by race/ethnicity and gender. The population estimates were derived from annual estimates from the U.S. Census Bureau’s *American Community Survey*. It should be noted that the percentages below reflect those individuals self-identifying as “White, Non-Hispanic” are reflected as “White”, and those identifying as any Hispanic/Latino ethnicity are mutually exclusively categorized as “Hispanic/Latino” in the graph below. Forty-five percent of residents identified themselves as White, followed by 41% Hispanic or Latino, and 7% Black/African-American. Those self-identifying themselves as “Other” (7%), included those race/ethnicities with smaller percentages, and was collapsed to maintain consistency with the OIS-specific analyses.



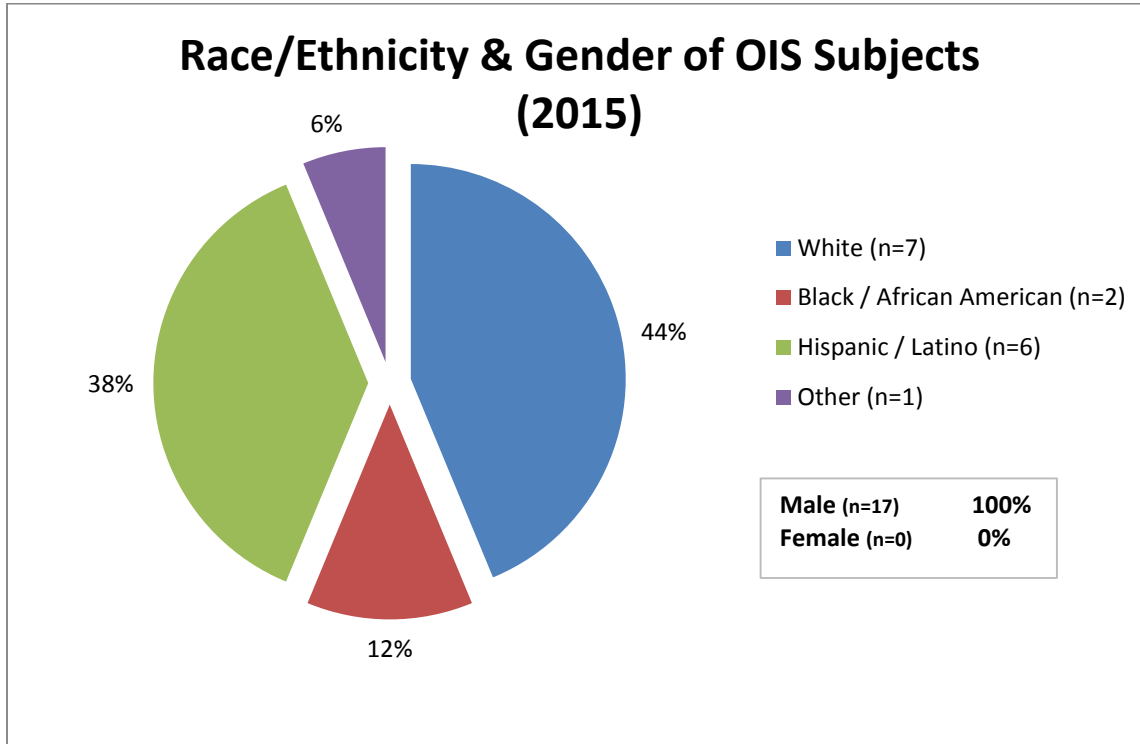
**Exhibit 32** displays the race/ethnicity and gender breakdown of OIS subjects from 2013 through 2015. Consistent with the rest of our OIS analyses, we examined race/ethnicity using four mutually exclusive categories: White, Black/African-American, Hispanic or Latino, and Other. The Other category was comprised by combining those individuals who are sufficiently uncommonly occurring as to pose a risk of inappropriately identifying them individually. Thus, we combined the following into the Other category: American Indian, Native American, Alaskan Native, Asian, Native Hawaiian or Pacific Islander, mixed, or other. Determination of subject race/ethnicity was derived from the primary criminal investigative report.

The majority of OIS subjects were White (42%, n=29), followed by 38% Hispanic/Latino subjects (n=26), and Black/African-American subjects (14%, n=10). The remaining 6% (n=4) of subjects were made up of Other races or ethnicities. Subject race/ethnicity was analyzed using 69 subjects, due to two unidentified subjects.

Subject gender was analyzed using 70 subjects as one subject's race / ethnicity was undetermined.

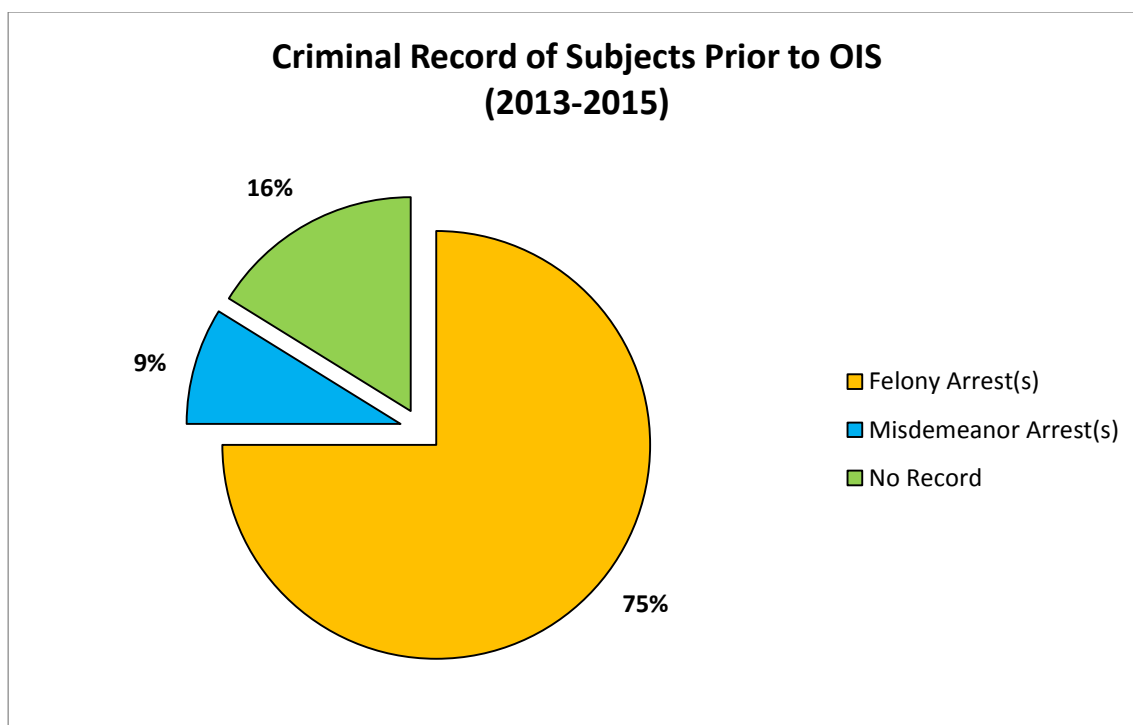


**Exhibit 32A** displays the race/ethnicity and gender breakdown of OIS subjects for 2015. The majority of OIS subjects were White (44%, n=7), followed by Hispanic/Latino subjects (38%, n=6), and Black/African-American subjects (12%, n=2). The remaining 6% (n=1) fit into the Other race/ethnicity category. Subject race/ethnicity was analyzed using 16 subjects, due to one unidentified subject in 2015.



**Exhibit 33** illustrates the analysis of OIS subject criminal history. The methodology was adjusted in the more current 2015 reviews to include a national crime history search for prior arrest for either a felony or misdemeanor offense. Subjects involved in the 2013-2014 OIS incidents were limited to criminal histories with a prior arrest in the City of Phoenix's PACE system (Police Automated Computerized Entry System). The analysis does not account for multiple prior arrests, and categorizes subjects progressively from no prior arrests ("No Record"), to at least one misdemeanor but no felony arrests ("Misdemeanor Arrest"), and finally "Felony Arrest" if the subject had at least one prior felony arrest (regardless of misdemeanor history). There were 3 subjects for whom it could not be determined if they had a prior criminal history, and were therefore excluded from this analysis, leaving 68 subjects.

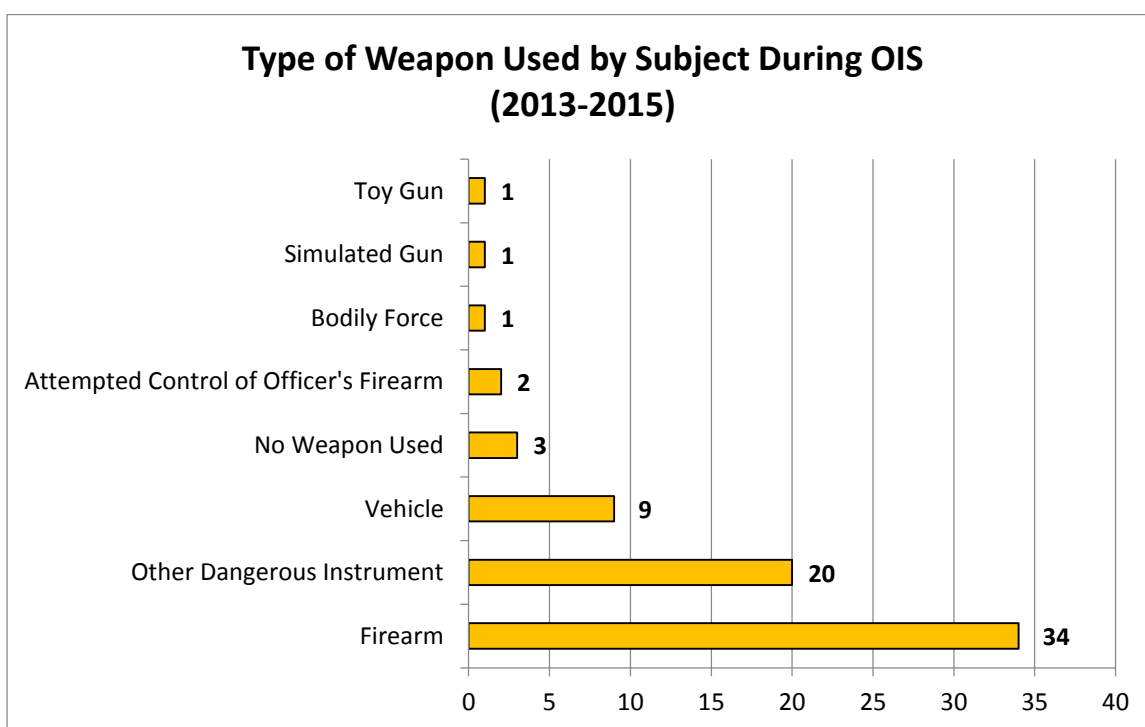
Seventy-five percent (n=51) of the OIS subjects had at least one felony arrest prior to the OIS incident. Nine percent (n=6) had no felony arrests, but at least one misdemeanor arrest prior to the OIS incident. Sixteen percent (n=11) of the OIS subjects had not been arrested prior to the OIS incident.



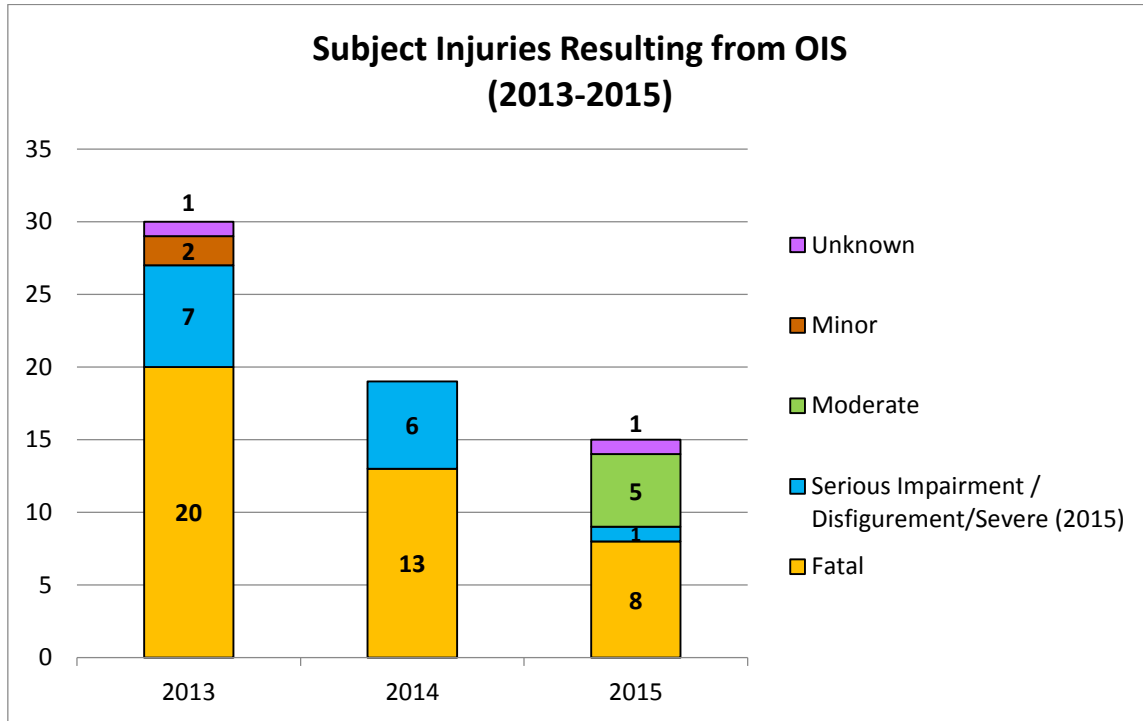


**Exhibit 34** displays the type and frequency of weapons used by OIS subjects (n=71) during the OIS incident. These classifications describe the actual weapon used during the incident, as determined by the investigation, and thus do not necessarily represent what the OIS officer(s) perceived during the OIS incident.

The chart depicts the results in ascending order of frequency. The last bar on the graph shows that about 48% (n=34) of all subjects involved in an OIS used a gun during the incident. Of the 34 subjects who used a firearm during the incident, about 47% (n=16) actually fired the weapon. Second only to firearms, the use of a dangerous instrument was common (28%, n=20). The use of a vehicle was the third most common weapon used by OIS subjects (13%, n=9).



**Exhibit 35** displays the subjects' injury-related outcomes of the OIS incidents. There were 69 subjects included in this analysis, because the level of injury for 2 subjects was undetermined. Over the three years from 2013 through 2015, 62 subjects sustained some form of injury during the OIS incident, which represents 90% of all OIS subjects. Among this group are 21 (30%) who were injured, and 41 (59%) who were killed. Seven (10%) of the OIS subjects were not injured during the incident by OIS officers.



### **Exhibit 36: Tactical Review Committee (TRC) - Case Agent's Responsibilities**

- Initial scene briefing
- Round count / personal equipment evaluation
  - ✓ Firearm (weapon mounted light, night sights, optic, etc.)
  - ✓ Duty belt (what equipment did they have with them on their belt)
  - ✓ Pockets (any additional equipment in their pockets)
- Secondary briefing / scene walk-through
- Capture all relevant information from the incident

#### **VCB Homicide Debrief:** (approximately 2 weeks following incident)

- Attend debrief from homicide
- Additional information from PSB
- Committee discussion and recommendations for Tactical Debrief
  - ✓ Ensure TRC recommendations addressed during Involved Employee/s debrief

#### **Tactical Debrief:** (approximately 1 week following Homicide debrief)

- Assess the need for formal training or an informal debrief
- Schedule convenient location for involved officers
- Invite Lieutenant to every TRC debrief
- Lieutenant will conduct an introduction before debrief (if available)
- Conduct debrief (see template on next page)
  - ✓ The goal is to have officers “self-discover” any mistakes or missed options
  - ✓ Help identify department training that worked for the incident
  - ✓ Help identify deficient training
- Complete memo and submit to LT
  - ✓ **Informal topics discussed:** ensure bullet points of topics discussed documented
  - ✓ **Formal Training Provided:** lesson Plan used if formal training was provided and points discussed

**The purpose for the Tactical Debrief is to discuss various tactical aspects of the incident, how it relates to department training, and the TRC sub-committee's recommendations. (If formal training provided, a debrief is conducted and the lesson plan training to follow)**

<p>Tell me about the incident from your perspective.</p> <ul style="list-style-type: none"><li>• Start with primary officer</li><li>• Have each additional officer add more info from their perspective</li></ul>		Notes:
<p>What worked well during the incident?</p>		Notes:
<p>What didn't work well during the incident?</p>		Notes:
<p>What other options or resources may have been available to you?</p>		Notes:
<p>What training did the department provide that helped in your incident?</p>		Notes:
<p>Did you encounter anything that has never been covered in department training?</p>		Notes:

Tactical Review Committee Report

Ensure TRC sub-committee's discussion, evaluation and recommendations are discussed (Topics Covered or Formal Training). This will be documented in the TRC memo.		Notes:
Is there any other information you can provide to make this process better?  Provide Involved Employee with any details of interest gained from the VCB briefing.		Notes:

This information is analyzed and transferred to the OIS tracking form (exhibit 37)

**Exhibit 37: Tracking Form for OIS Incidents – Updated**



**City of Phoenix**

**To:** Ben Henry, Commander  
Training Bureau

**Date:** ????, ??, 2016

**From:** Joe Tomory, Lieutenant  
Training Bureau

**Subject: USE OF FORCE INCIDENT INVOLVING OFFICER XXXXX XXXXXX #**

**Date/Time:**

**Location:**

**DR#:**

**COPY AND PASTE WEAR YOUR VEST**

	<b>Completion Date</b>	<b>Supervisor's Initials</b>
TRC Subcommittee Review		
Scheduled Appointment for Incident Debriefing (TTD)		
Post Shooting Evaluation with Firearms Detail		

**Topics Covered and/or Training Provided:**

Proficiency Lieutenant's Signature:

Once completed, this memorandum will be forwarded to the Use of Force Chairperson.

This memorandum will be filed at the Training Bureau.

## **Exhibit 38: Post OIS Training**

Topics Identified by the Tactical Review Sub-Committee for training to be given to the involved employees involved in OIS Incidents from July 1, 2015 to December 31, 2015:

- Tactical Debrief using table top of Foot Pursuit/Contact Cover
- Firearms review of holster types
- Firearms refresher for drawing weapon
- Contact / Cover
- Extraction of wounded suspects
- Containment / Reconnoitering area/residence
- Communication between employees during OIS incident
- Table Top exercise of OIS Phase I barricade
- Radio Communication between involved employees
- Situational awareness to include but not limited to cross-fire, tactics, etc.
- Shooting at an elevated subject
- Supervisor role in the arrest team
- Supervisor role in requesting resources available to de-escalate – Small Team Tactics, etc.
- Less-lethal options / stunbag
- Time, distance, cover to allow for time to obtain more resources
- Classroom Review of Canine Operations