

# **Review of the Use of Force**

## **Tampa Police Department**

(August 1988 - February 1990)

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This report reviews the utilization of force by members of the Tampa Police Department to effect the arrest and control of 38,763 persons between the period of August 1988 and February 1990. The information was obtained from an analysis of Custody Memos completed by the arresting officer at the time of the actual physical arrest.

The Tampa Police Department uses a well documented program of Active Countermeasures and the Expandable Baton based upon the Confrontational Continuum and a Use of Force Policy. This combination of Active Countermeasures and the implementation of the Expandable Baton as the primary impact weapon were a result of an intensive review of all the defense systems available to the department at the time.

Training time available at the basic entry level as well as the extremely limited inservice transition time were a major consideration. Therefore, to insure maximum retention of concepts and techniques for documentation and court defensibility, the Tampa Police Department undertook an intensive 24 hour one-time, inservice program which included 16 hours of Countermeasures and eight hours of Baton Training. The emphasis was on simplicity and continuity of training with the desire to reduce the complexity of advanced techniques for those techniques actually used by street officers. The goal was to provide a minimum demonstrated proficiency with 90% effectiveness and 90% retention at the end of one year's time.

During fiscal year 1988 (October 1987 to October 1988), sworn officers below the rank of Major were trained at the Regional Training Academy. Using appropriate safety equipment including training bags and training batons provide the ability to conduct safe, dynamic, full contact training with the Countermeasures and Baton Training taught in similar manner. The Expandable Baton Training incorporated all potential impact weapons along three basic angles of attack, and each officer was required to perform at 100% power in Role Play scenarios. Upon the conclusion of the training program, each officer was tested based upon demonstrated proficiency and certified in each system.

The following fiscal year (October 1988 to October 1989) each officer was refreshed and re-examined for eight hours to determine their proficiency and retention level. The expectation of 90% retention of concepts rather than specific techniques was achieved as the returning officers were able to perform all the movements effectively, if not perfectly. At the conclusion of this training block, each officer was again tested in Role Play against the instructors. The simplicity of the training program and the resultant retainability of the concepts has afforded the police department the ability to refresh its officers every other year, thus providing for more diverse training during inservice.

To monitor the Use of Force by officers and to provide a vehicle for the collection of data, a Custody Memo was implemented during the same period. The following statistics are taken directly from the 38,763 memos on file. The Custody Memos rate both the Level of Resistance by the suspect and the Level of Force to gain compliance as listed:

#### **Level of Resistance**

1. None, complete compliance
2. Unarmed suspect resisted minimally, struck no blows and remained standing
3. Unarmed suspect resisted to point where suspect or officer fell to the ground and/or blows were struck by suspect
4. Suspect armed with club or similar weapon and threatened or attacked officer
5. Suspect armed with knife or similar weapon and threatened or attacked officer
6. Suspect used motor vehicle to attack officer
7. Suspect armed with firearm threatened officer
8. Suspect armed with firearm shot at officer
9. Suspect armed with other weapon threatened or attacked officer
10. Suspect resisted and escaped

### **Level of Force to Gain Compliance**

11. No force, no handcuffs
12. Suspect physically handled with minimal force, no handcuffs
13. Suspect handcuffed, no other force used
14. Struggled with suspect to accomplish handcuffing
15. Pain compliance
16. Physical blows struck with hands or feet
17. One or more officers needed for assistance
18. Police weapons were used
19. Baton
20. Flashlight
21. Chemical agent
22. Firearm pointed at suspect
23. Firearm fired at suspect
24. Tactical Response Team weapons used
25. Other

### **Injury Sustained: Officer/Suspect**

26. No visible injury, no complaint of pain
27. No visible injury, complaint of minor pain, no medical attention required
28. No visible injury, complaint of pain requiring medical attention required
29. Minor visible injury (redness, swelling, abrasion), no medical attention required
30. Injury requiring outpatient treatment (x-ray, exam, stitches)
31. Injury requiring hospital admission
32. Fatality

Specifically reviewed were the following categories with emphasis on the use of Countermeasures and the Expandable Baton relative to injuries received by the arrested subject:

**Force Level 15: Pain Compliance**

Category 26: 159 incidents

Category 27: 25 incidents

Category 28: 0 incidents

Category 29: 45 incidents

Category 30: 17 incidents

Category 31: 3 incidents

Category 32: 0 incidents

[Force Level 15: Pain Compliance - Total Incidents 249 (.642%)]

**Force Level 16: Physical blows struck hands and feet**

Category 26: 143 incidents

Category 27: 34 incidents

Category 28: 2 incidents

Category 29: 49 incidents

Category 30: 20 incidents

Category 31: 2 incidents

Category 32: 0 incidents

[Force Level 16: Physical Blows - Total Incidents 239 (.616%)]

**Force Level 19: Baton**

Category 26: 146 incidents

Category 27: 40 incidents

Category 28: 8 incidents

Category 29: 80 incidents

Category 30: 25 incidents

Category 31: 2 incidents

Category 32: 0 incidents

[Force Level 19: Baton - Total Incidents 301 (.776%)]

The remaining incidents recorded during the evaluation period were resolved with a lower level of force including the deployment of the baton without actual striking. The deployment and display of the baton at the appropriate moment provides a final warning in the Confrontational Continuum prior to actual contact often allowing for a disengagement of the conflict.

In October 1988 the Training Curriculum was submitted to a Medical Review by a panel of ten (10) physicians sponsored by the Florida Department of Law Enforcement. Following the Medical Review, a panel of ten (10) attorneys conducted a review and submitted the finding to the Criminal Justice Standards and Training Commission.

Subsequently, in July 1990 the State of Florida adopted a Mandatory Curriculum to Defensive Tactics inclusive of the program discussed in this report. The utilization of the Expandable Baton and a well disciplined Use of Force policy have reduced the sustained Use of Force complaints by fifty percent (50%) and injuries sustained by members of the Tampa Police Department at the hands of suspects by sixty percent (60%). Statistically there appears to be a close relationship between the effective application of Pain Compliance, Countermeasures and Baton Techniques when executed by competent and dedicated professional police officers.

The collected data further provides substantial proof that metal impact weapons, when used with a reasonable standard of care, do not create the propensity for injuries many critics believe and in this review resulted in no more serious injuries than those caused by Pain Compliance or Joint Manipulation Techniques.

**Tampa Police Department**  
**Excessive Force Complaints**  
(1986-1989)

1986	35 complaints	3 sustained
1987	49 complaints	3 sustained
1988	39 complaints	2 sustained
1989	24 complaints	0 sustained