

2022 Annual Report

Response to Resistance and Aggression



Austin Independent School District Police Department
March 2023

Prepared by the AISD PD
Professional Standards Unit

This annual report reviews the Austin Independent School District Police Department's Use of Force, or Response to Resistance and Aggression (R2RA) during calendar year 2022. Police may properly respond to an individual's resistance when effecting arrests, protection of others, and at times use necessary restraint to control a person who may harm themselves.

AISD Police Department Directive 3.01 requires that the Professional Standards Unit prepare an annual analysis for the Chief of Police on all Response to Resistance incidents. AISD PD prepares this report in order to better understand the conditions under which officers apply a level of restraint and to make improvements to training and Directives when necessary. Preparation of an annual Response to Resistance Report is not a requirement for police departments but is a common practice among recognized agencies. The AISD Police Department is recognized by the Texas Police Chief's Association as meeting best practices.

In 2021, the Austin Independent School District Police responded to 49,249 calls for service. Eighty-four (84) of those contacts involved one or more individuals who presented resistance or assaultive behavior requiring a level of physical response to the individual's resistance by police officers. That is .17% of all police activities resulting in a level of physical response by police. Out of the 84 incidents requiring a level of physical response by police, 72 (85.7%) involved the lowest level of physical force used by an officer to restrain an individual, in the form of manually separating combatants in a fight or physically restraining one person from assaulting another. Furthermore, 17 of the 84 incidents (20.2%) involved non-students over the age of 18.

This report recognizes that most officer R2RA contacts were minimal in nature, equivalent to the same force used by a teacher, counselor, or any school official for the purposes of breaking up or preventing a fight, or otherwise preventing students from hurting themselves or someone else. In 33 of these incidents, students were actively engaged in a fight, physical disturbance, or other conduct that was placing themselves or others in danger, and officers used minimal physical contact (soft empty hand control or muscling techniques – see definitions below) to separate them. The documentation of this minimal physical contact as a “use of force” or R2RA exceeds industry standards and meets best practices for the purposes of identifying training needs.

While most agencies report only those force options resulting in injury or that are serious in nature, this Department reports any and all contacts.

Key findings in the 2022 Response to Resistance Report

- The number of Calls for Service (CFS) increased significantly from 2021 to 2022. In 2022, AISD Police reported 49,249 total calls for service, up from 45,131 in 2021; an increase of 4,118 calls for service (9.1%). The cause for this increase may be attributed to the fact that 2022 was the first full calendar year (CY) of 100% in-person attendance for AISD students since pre-pandemic CY 2019.

- In 2022, only 84 out of 49,249 of all police contacts (0.17%) resulted in the use of restraint against a person(s) by AISD Police. This represents a slight increase (0.075%) in use of restraint from 2021, as might be expected with the increase in Calls for Service.
- Force was used against 91 individuals.
- It should be noted that many incidents involved the use of force against more than one subject, and / or the application of more than one type of force.
- In 2022 the most frequent subject action resulting in a restraint by an officer was Passive Resistance (44%), followed by Assultive Behavior (18%).
- The most often used method of force for officers responding to resistance was “Hands On”, or Empty Hand Control. Empty Hand Control was used in 72% of the documented Responses to Resistance incidents. Three incidents involved display or use of a Conducted Energy Device (Taser); one with Display Only and two with actual use. The threat or display of deadly force (firearm) was also used 11 times within all contacts while placing persons in custody for felonious or suspected violent felonious crimes.

Background and Methodology

A police officer’s duty is to protect the life and property of persons in their jurisdiction. It is the policy of the Austin Independent School District Police Department that officers use only the minimum amount of force which is reasonably necessary to bring an incident under control, while protecting the life of the officer and others. The amount of force used should reflect the level necessary to bring a situation under control. When an officer responds to an incident and force is used to control a situation, AISD PD Directives require that the event be documented as a Response to Resistance / Aggression (R2RA) report. This report includes among other data, a description of the type of resistance or aggression encountered, the type of force used by the officer (i.e., hands, chemical weapon, Conducted Energy Devices (Taser), less lethal munitions, handgun, etc.) and any injuries sustained by the citizen and / or officer.

Further, the supervisor of the involved officer must respond to the scene as per Department Directive and review the incident. The R2RA report is then forwarded and reviewed by each level of the Chain of Command, through the Chief of Police.

The Department voluntarily implemented collection of Response to Resistance data in an effort to better understand the conditions under which officers use some level of restraint and to assist supervisors in reviewing all Response to Resistance events. The Department also utilizes Response to Resistance Data to improve training and policy.

Definitions

Aggression: Hostile or violent actions or behaviors towards another.

Aggravated Physical Aggression: Hostile or violent actions toward another involving the use of weapons, or with the intent or result of inflicting bodily injury, serious bodily injury, or death.

Assaultive: behavior intended to cause bodily injury to another

Bodily Injury: Physical pain, illness or any impairment of physical condition

Combatant: A person engaged in, or who is reasonably believed about to become engaged in a physical fight or disturbance

Deadly Force: Force that is intended or known by the actor to cause, or in the manner of its use is capable of causing, death or serious bodily injury

Defensive Resistance: The use of physical force to resist arrest, such as pushing or pulling away, running, or other physical acts not intended or likely to cause injury, but to avoid being taken into custody.

Force: The use of any weapon, instrument, device, or physical power used to control or restrain a person, or to overcome resistance.

Hard Empty Hand Control: Techniques such as leg/foot and hand strikes

Less Lethal Force: An R2RA in which the officer uses an intermediate weapon such as pepper spray, Conducted Energy Weapon (Taser), or Less Lethal Impact Munitions (bean bag shotgun), which is not intended or likely to cause death or serious physical injury.

Muscling Techniques: The use of physical strength to overcome resistance.

Passive Resistance: resistance without the use of force that is intended to impair the officer's ability to complete a lawful objective. Examples: "going limp", physically or verbally refusing to comply with lawful orders.

Resistance: Any physical act or failure to act undertaken by a subject against an employee, that could reasonably interfere with or defeat a lawful attempt by the employee to gain control of the subject.

Serious Bodily Injury: Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ

Soft Empty Hand Control (aka: "Hands On"): Techniques with minimal chance for injury (touch pressure and joint locks).

Threats to Life: Physical and / or verbal behavior that is intended or has the effect of placing another in fear of serious bodily injury or death

Verbal Threats: Verbal statements that convey a threat to cause bodily injury or physical harm to another

Nature of Call

A breakdown of the nature of the service calls shows that restraint was used most often on Calls for Service (officers called by public or school / district staff), 62 out of 84 restraint incidents.

Ambush	0
Call for Service	62
Civil Disorder	8
Custody / Court Hearing	0
Custody / Transport	0
Custody / Booking	1
Pedestrian Stop	0
Pre-planned Operation	0
Public flag-down	0
Suspicious Circumstances	10
Vehicle Stop	2
Welfare Check	1

The use of force (R2RA) report captures identifying data about the subject of the report to include gender, age, race and ethnicity.

Gender of Subject

Male	62
Female	29

Race and Ethnicity of Subject

Caucasian	27	(29.7 %)
African American	41	(45.0 %)
Hispanic	23	(25.3 %)
Native American	0	(0 %)
Asian	0	(0 %)
Other	0	(0 %)

Age of Subject

10 or under	0
11-14	20
15-17	46
18-21	10
22-25	1
26-30	2
31-35	1
36-40	2
41-45	0
46-50	3

51-55	0
56-60	0
61-65	0
65-99	1
Age Unknown*	5

*Instances where the suspect or subject of the force was unknown and could not be identified by the officer, such as an unknown suspect that evaded or escaped custody after the officer's use of force.

Reasons for Use of Force

The most often cited reasons for using a level of restraint was to Separate Combatants and in Defense of Another. Other reasons why a restraint option was used included: to Affect an Arrest, Necessary to Prevent Forceable Felony, Necessary to Defend Officer, Resisting Arrest, and Protection of Property.

Separate Combatants	26
Defense of Another	26
Necessary to Prevent Forceable Felony	2
Necessary to Affect Arrest	24
Necessary to Defend Officer	13
Resisting Arrest	7
Protection of Property	1

Nature of Subject's Injuries

7 of the 91 individuals upon whom force was used sustained injury (as minor as a complaint of pain). None required medical attention.

Subject Injured	7
Subject rendered unconscious	0
Subject Required Hospitalization	0

Nature of injury:

Abrasion / Laceration	2
Apparent Minor Injury	3
Complaint of Pain	1
Other Minor Injury	1
Medical Attention needed	0
Not Indicated	0

Level of Resistance
(Some Incidents involved multiple subjects using varying levels of resistance)

Passive Non-Compliance	24
Assaultive Behavior	19
Aggravated Physical Aggression	18
Perceived Firearm	8
Threat to Life	4
Perceived Other Weapon	3
Perceived Sharp Weapon	2
Confirmed Firearm	2
Confirmed Sharp Weapon	2
Confirmed Other Weapon	2

Number of suspects that resisted or assaulted officer.

In 11 incidents, there was more than one person who resisted or fought with officers, and 73 incidents in which officers encountered resistance from a single subject.

One suspect	73
Two suspects	9
Three	1
More than three	1

Level of control generated beyond verbal directions

Empty hand control was employed in 35 of the 84 instances reported. Tasers were used in 3 incidents; two occasions included actual use, one was a Display Only. The display, or threat, of deadly force (firearm) was used in 11 of the incidents in which force was used. (Note: Some incidents involved use of multiple types of force. Values indicate all instances of individual force types across all R2RA incidents).

Muscling Techniques	23
Handcuffed	24
Hands-On	35
Improvised Weapons	0
Hard Empty Hand	0
Less-Lethal Impact Munitions	0
OC / Pepper Spray	0
Pain Compliance	0
Pressure Points	0

Restraints (other than handcuffs)	0
Simple Restraint	0
Taser (Actual Use)	2
Taser (Display Only)	1
Firearm (Actual Use)	0
Firearm (Display Only)	11

Early Intervention Warning & Accountability

In 2021, AISD Police implemented the use of IAPro / Blue Team system for electronic reporting and monitoring of Response to Resistance and Aggression (R2RA) incidents, and continued to use the system throughout CY 2022. The system includes an Early Intervention (EI) Warning feature that triggers when any individual officer is involved in a given number of R2RA reports in a specified period, notifying the officer's chain of command and initiating a review by each level, through the Chief of Police.

Reviews of each EI Warning were conducted, with the following results:

Early Intervention Warnings Triggered	20
Interventions	0
No intervention necessary	20

Duty to Intervene

By statute and Department Directive all employees, civilian or sworn, are obligated to intervene and report any unnecessary or unlawful use of force or restraint by any officer to the Chief of Police. In 2022, there were no reports of incidents involving Duty to Intervene.

Officer Injuries

Officers sustained a total of 11 injuries in 2022 as a result of a Response to Resistance / Aggression incident. This is a moderate increase from 2021, when only 7 injuries were reported. It should be noted that some officers may have sustained more than one type of injury.

Abrasion / Laceration	1
Bone Fracture	0
Complaint of Pain	2
Concussion	0
Contamination – Body Fluids	1
Contamination – Chemical	0
Death	0
Gunshot Wound	0
Internal Injury	0

Minor Injury (unspecified)	6
Moderate Injury (unspecified)	1
Needle Stick	0
Obvious Disfigurement	0
Serious Bodily Injury	0
Stab Wound	0
Unconsciousness	0

Training

Annually (including 2022) Austin Independent School District Police Officers each receive 40 hours of training during the department's summer training academy, far exceeding the state mandate of 40 hours of training every biennium. Additionally, newly-hired officers received 20 hours of state mandated School-Based Law Enforcement training, which included topics such as de-escalation, emotional intelligence, and interacting with individuals with developmental disabilities. Newly hired officers also received a Department mandated 40-hour Mental Health Course, and most completed a 4 week "Mini Academy", in which they received additional instruction in Departmental Directives, Traffic Stops, Building Searches, Mental Health Response for SROs, and other Department-specific training.

In CY 2022, AISD Officers received the following training relevant to the mitigation of resistance, and / or topics intended to train officers in redirecting and de-escalation in order to avoid a resistance encounter.

Weapons Qualifications and Force Continuum Training	8 hours
Mental Health Refresher for Previously Trained Officers	8 hours
TCOLE- New Supervisor Course (First Line Supervisor)	24 hours

Newly hired officers and those needing additional training for certification advancement also received the following training:

De-Escalation	4 hours
Adolescent-Development	4 hours
Mental Illness and Crisis Intervention	4 hours
Mental Health and Behavioral and Health Needs...	4 hours
Restorative Justice	4 hours
Mental Health	40 hours
Crisis Intervention for new hires	40 hours

Conclusion

The Department's Response to Resistance and Aggression (R2RA) Directive / Policy was revised in 2020 to be more accountable and in line with law enforcement best practices. The use of impact batons as well as choke holds are prohibited by this department as a standard practice.

The Department's primary consideration is public and officer safety to include the individual being restrained. The Austin Independent School District Police Department collects data on all resistance contacts in order to better understand the department's response to levels of resistance, and to determine if changes in policy, reporting, or training are called for. Reports made from this information are used to increase transparency and to enhance our service to the community.

ZG
Submitted by: Lt Zac Gorbet, Professional Standards

March 27, 2023

COMMAND REVIEW

Any actions to be taken:

Wayne Sneed

Wayne Sneed, Chief of Police

07/12/2023

Date