

Duluth Police Department

Response to Aggression & Resistance
Report 2020



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Message from the Chief



Early in my tenure as the Chief of Police, I worked with my leadership team to rewrite the preamble, or “Purpose and Scope” of our Use of Force Policy. The old language lacked a focus on the sanctity of life, which we felt was critical. When our work was done, we felt the policy clearly captured our values and expectations: “The Duluth Police Department values and respects the sanctity of every life and identifies our role as a lifesaving organization. When officers are engaged in law enforcement activities, there is an immense responsibility that comes with the authority to use reasonable force, including deadly force, in overcoming resistance and/or protecting the public. The Duluth Police Department emphasizes the use of de-escalation and less lethal options in use of force encounters and trains our officers to be adept at using these tools when appropriate.

As such, we have policies, procedures, and training which encourage tactics and strategies to generate voluntary compliance. It is the Duluth Police Department's expectation that officers will make tactically sound, reasonable use of force decisions, which demonstrate our value of every life.”

At the Duluth Police Department, we invest considerable resources in training and innovation to prevent and reduce the occasions where we need to use force. However, no measure of training and innovation will prevent all police use of force. Training includes honing officers’ communication skills, which is the most important tool our officers bring with them when out in the field. Having competence in using communication skills such as de-escalation, crisis intervention, and verbal defense and influence training can effectively and dramatically change outcomes by achieving our goal of generating voluntary compliance. We train extensively on de-escalation; not only as a stand-alone subject, but it’s also incorporated into defensive tactics, firearms, and use of force trainings.

We train extensively in the use of less-lethal tools to help us resolve potentially lethal encounters. Providing training and tools gives us the opportunity to save the lives of people who are experiencing a crisis today but through good tactics, training, and tools will have the opportunity to live tomorrow.

Innovation at DPD is found in our Mental Health (CORE) and SURT Units. CORE is our embedded social worker co-responder (CORE) program pairing police with social workers to help people who are suffering from mental illness, mental health crisis, and/or Substance Use Disorders. Our CORE Unit was among the first in the State of Minnesota and we have consulted with other law enforcement agencies to help them start their programs. Our CORE Unit helps identify issues and provides treatment and resource options for those in crisis. Our Substance Use Response Team (SURT) identifies people who are suffering from Substance Use Disorders and need support to be safe, seek treatment, and begin a pathway to recovery. These two innovative programs have saved lives and supported treatment and recovery and in doing so, reduced calls for service that can, and do, manifest into police use of force.

Since 2017, the Duluth Police Department has been collecting and analyzing use of force trends and patterns. In 2020, we had 127 use of force incidents and responded or initiated 87,284 calls for service. Our use of force ratio is .15% out of the total calls for service.

We are committed to building trust through transparency with our community. Releasing this report, the first of its kind at DPD, is done so to provide our citizens with a comprehensive report detailing police use of force at the Duluth Police Department.

Respectfully, Chief Mike Tusken

Mission Statement, Values, Core Beliefs

Mission Statement

To provide a safe Duluth for all by strengthening relationships and serving in a respectful, caring, and selfless manner.

Values

Fair
Accountable
Caring
Transparent

Core Beliefs

- We are a lifesaving organization.
- We recognize that our authority comes from our social contract with the community.
- People will believe we are there to serve them if we are kind, caring, and compassionate, and our actions match our words.
- People will trust us if they believe we are protecting their rights.
- Every interaction leaves a lasting impression.
- The safety of both our community and officers is paramount.

Introduction

The information presented in this report is obtained through 2020 Subject Resistance Reporting. The Duluth Police Department requires officers who use force to document each incident through a subject resistance reporting application. Duluth Police Department policy 300 states:

“Any use of force greater than handcuffing a cooperative person by a member of this department shall be documented promptly, completely, and accurately by an appropriate narrative report and Subject Resistance Report. This includes the pointing of aerosol spray, Taser, less-lethal, or firearm.

The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. The purpose for the Subject Resistance Report is to collect data for training, resource allocation, analysis, and other related purposes.”

Subject Resistance Reports are reviewed by supervisors and command staff at various levels within the department to ensure force usage is within policy and training. Officers are required to document subject's race and gender when completing the Subject Resistance Report. In some instances, subject race and gender identification is obtained directly from the subject and documented based on subject self-disclosure. In other instances, subject race and gender identification is based on the perception of the officer and is documented as such.



Officer Hannah Morris writing a report after responding to a call for service.



New DPD recruit Stephen Shelton training on how to properly use an AED and perform CPR.



Duluth Police Officers stand by during a demonstration.

Strategies to Reduce Use of Force

Our officers are dedicated to keeping our community safe for everyone that lives, works, and visits our City. At times, we find it necessary to respond to aggression and resistance by subjects. Unfortunately, force is inherent to policing and we do all we can to mitigate its necessity through evaluation, policy, training, and education. Our Department has been on the cutting edge of training and offers services to our community through a number of initiatives in an effort to increase the number of tools we can use rather than force. Some of these initiatives include:

Crisis Intervention Training:

This is an intensive four-day training to teach officers how to work with persons experiencing mental health crisis, illness, disorders, and/or addictions. It offers people the opportunity to gain access to treatment and resources rather than putting them in the criminal justice system. Developed through community partnerships, this training, which follows the Memphis CIT Model, is a multi-disciplinary approach to crisis intervention that follows best practices.



All of our officers have been trained in CIT along with a variety of de-escalation techniques.

Mental Health (CORE) Unit:

This Unit is a co-responder model that works to decriminalize mental illness and improve the health and quality of life of people in our community. We paired up two dedicated officers with two licensed independent clinical social workers who are able to provide field diagnostics, treatment, and referrals. The goals of this team include reducing 911 calls for chronic users, reduce jail and hospital admissions, and improving the quality of life for those experiencing mental health crises. Since its inception in 2018, this Unit has responded to over 12,000 mental health calls. DPD has seen more than a 30% drop in calls for service amongst those that have the most frequent contact with police.



Social Worker Patty Whelan works in the Mental Health (CORE) Unit to help connect individuals to resources in the community.

Opioid Technician:

This position is dedicated to those struggling with addiction. We make contact with those who have survived an overdose and work to get them into treatment and provide long-term case management. We continue to look for effective initiatives to compliment and build upon our already implemented opioid enforcement, treatment, prevention, and education strategies.

Body Worn Cameras:

The Duluth Police Body-Worn Camera Program provides organizational opportunities to assess and evaluate incident response, reduce ambiguity, promote transparency and accountability, and provide a framework for future training needs and initiatives.



Strategies to Reduce Use of Force Cont.

Fair and Impartial Policing:

Every officer has attended Fair and Impartial Policing training, which discusses implicit biases and how they can impact well-intentioned individuals outside their conscious awareness. The training teaches officers the skills they need to reduce and manage their biases.

Verbal Defense and Influence:

All officers are trained in this type of de-escalation communication tactic. This includes body language, tone of voice, and choice of words as a means to calming a potentially volatile situation. Officers are taught to slow down, be compassionate, and use discretion.

Defensive Tactics Training:

The Duluth Police Department emphasizes the use of de-escalation and less lethal options in all use of force encounters and trains our officers to be adept at using these tools when appropriate. All of our use of force trainings encourage officers to use communication, sound tactics, and strategies to generate voluntary cooperation when possible.

Scenario-Based Training:

Officers are exposed to a variety of realistic training situations to develop, prepare, and refine their skills in crisis intervention, de-escalation, communication, tactics, critical thinking, and decision making.

Health & Wellness:

Those within the Duluth Police Department are taught the importance of mental and emotional health, physical health (proper nutrition and exercise), cognitive functioning, and the importance of fostering positive relationships within their professional and personal lives. Officers have access to an onsite workout facility and are granted time during their workweek to utilize this space. Staff have access to onsite peer counselors who are specially trained in methods and techniques that aim to assist those experiencing hardships. Officers of the Duluth Police Department also have access to a professional psychologist and therapist who provide annual mental health check-ins and on-demand counseling services for stressors and exposure to trauma.

Our Core Values are to be **Fair, Accountable, Caring,** and **Transparent.** To fulfill the Duluth Police Department's commitment of transparency, this report will detail our response to aggression and resistance in 2020. On the following pages we will map out comparative data detailing how often officers used force, why force was used, call types where force was used, the tactics used, and racial demographics for those involved in the use of force incidents.



Officers Dana Letica and Nate Smith are training on handcuffing. This is one of multiple trainings sworn officers go through every year to ensure they are up to date with best practices.



A few officers playing tug-of-war with children during our annual Kids, Cops, and Cars event.

Summary

The following are 2020 statistics of DPD's response to aggression and resistance:

- Duluth Police Officers reported 127 use of force incidents out of 87,284 calls for service.
- There were 148 subjects involved in 127 use of force incidents.
- There were 279 officers involved in 127 use of force incidents.
- Force was used in 0.15% of total calls for service.
- 3.2% of total calls for service resulted in an arrest.
- Force was used in 4.6% of all arrests.
- The type of force most commonly used by officers was Handgun Aimed.
- Known or perceived race of subjects involved in use of force incidents:
 - White: 46%
 - Black: 31%
 - Native American: 22%
 - Hispanic: <1%
 - Asian: 0%
- In 2020, no Asian Americans were involved in the 127 use of force incidents involving 148 subjects.
- No force was used in 99.85% of all incidents officers were involved in.
- 91.3% of all use of force incidents started with a 911 generated call for service.



Data/Analysis

Calls for Service & Use of Force

Officers responded to or were involved in 87,284 calls for service (CFS). Of the 87,284 CFS, officers used force (UOF) in 127 incidents. Officers used force in **0.15%** of all calls for service or incidents they were involved in.

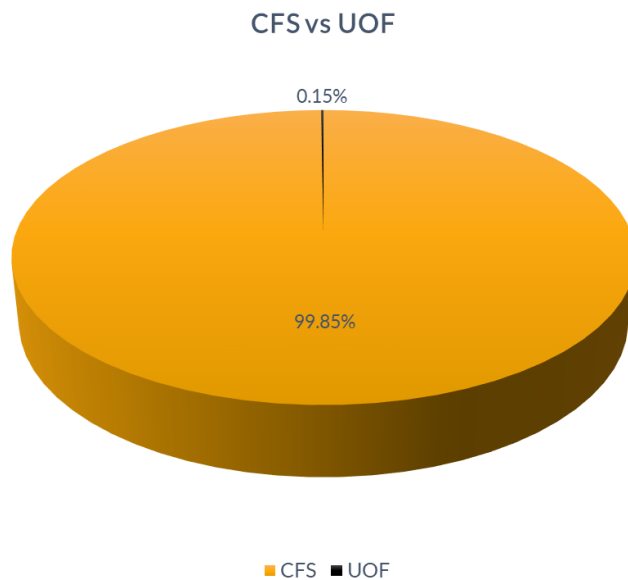


Figure 1: Calls for Service compared to Use of Force Incidents

Calls for Service & Arrests

During the 87,284 CFS officers were involved in, 2,754 arrests were made. Out of the 87,284 CFS or incidents officers were involved in, officers made arrests **3.2%** of the time.

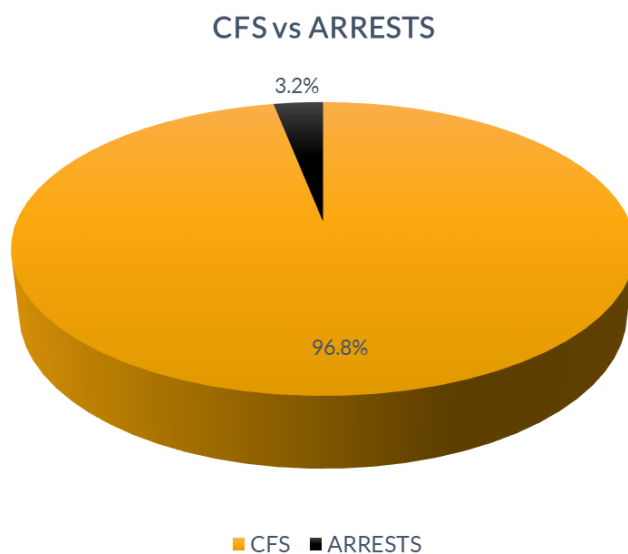


Figure 2: Calls for Service compared to Arrests

Data/Analysis Cont.

Arrest & Use of Force

During the 2,754 arrests that were made in 2020, there were 127 incidents where force was used. **95.4%** of all arrests officers made did not require force to be used.

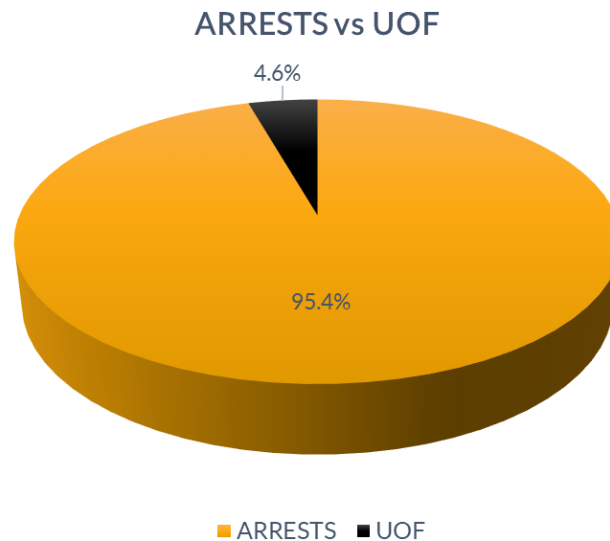


Figure 3: Arrests compared to Use of Force Incidents

Racial Demographics

There were 148 subjects involved in 127 UOF incidents. Below is the racial demographic breakdown of the 148 subjects involved.

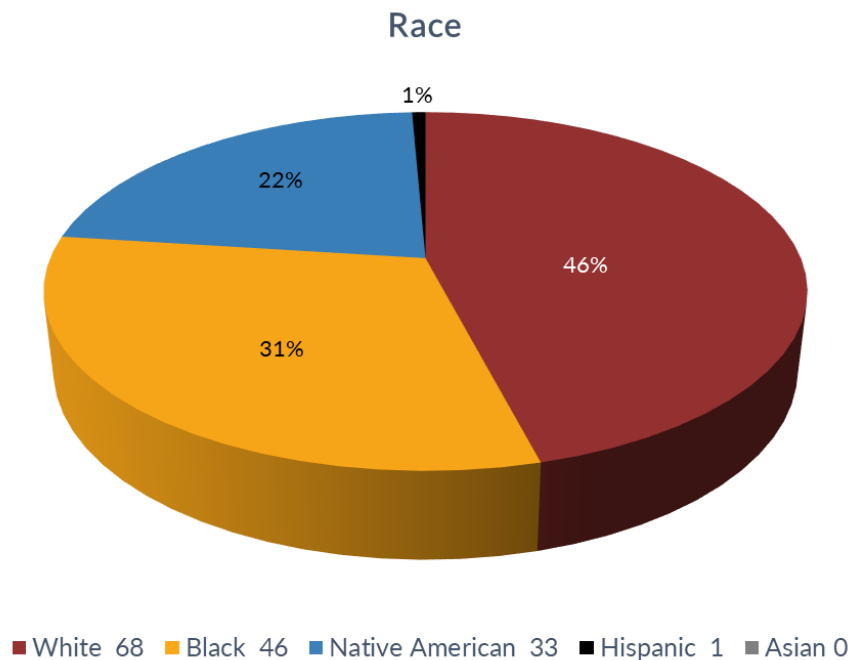


Figure 4: Racial Demographics

Data/Analysis Cont.

Gender Demographics

There were 148 subjects involved in 127 UOF incidents.

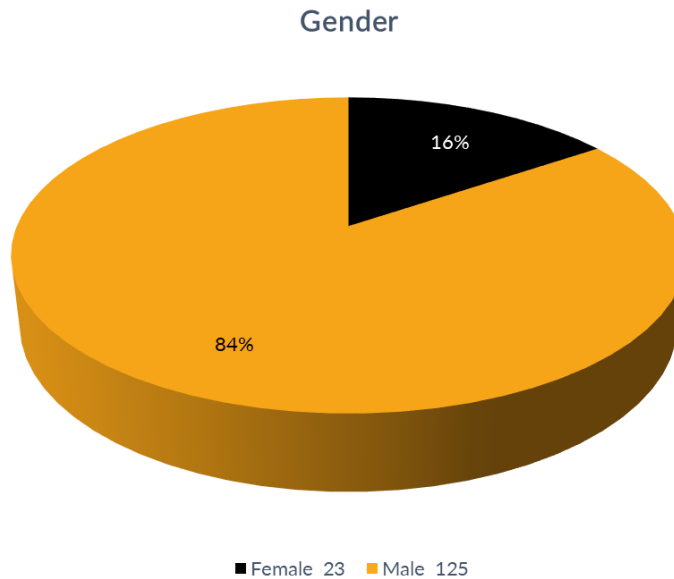


Figure 5: Gender Demographics

Call Type: 911 Dispatch Generated

The type of call an officer responds to is identified and generated by 911 dispatch. A 911 dispatcher will determine the most accurate call type to code into their records management system based on information obtained through the caller. The dispatcher will then assign that call to the appropriate officer for response. Below is a list of 911 dispatch-generated call types and number of occurrences where force was used.

Assist Other Agency: 1	Domestic Physical: 7	Shooting: 6	Trouble Unknown: 1
Assault: 4	Domestic Weapon: 2	Sound of Shots: 2	Trespass Person: 1
Attempt to Pick-up: 8	Drug: 3	Subject Stop: 3	Trespassing: 2
Burglary: 5	Medical Assault: 2	Suicide Attempt: 1	Unwanted Person: 4
Child Neglect: 1	Medical: 1	Suicide Threats: 1	Vehicle Prowl: 3
Check Welfare: 5	Order Violation: 1	Suspicious Person: 2	Vehicle Recovery: 5
Detail: 1	Out With: 3	Search Warrant: 3	Vehicle Theft: 4
Disturbance: 11	Person with Gun: 7	Theft: 2	
Drunk: 2	Person with Weapon: 4	Threats: 2	
Domestic: 3	Psych: 3	Traffic Stop: 11	

Figure 6: Call Type: 911 Dispatch Generated

Data/Analysis Cont.

Call Type: Based on Incident Summary

Incident summaries were reviewed for each UOF incident. Based on those incident summaries the call type, which 911 dispatch originally coded, was re-categorized to the most appropriate call type to which the incident was related. For example, there were five vehicle recoveries, four vehicle thefts, two of eleven traffic stops, and one assist other agency CFS generated by 911 dispatch (figure 6), which all related to stolen vehicles. These 12 incidents are all stolen vehicle call types and were appropriately re-categorized to stolen vehicle (figure 7). The call type disturbance is another example where incidents needed to be re-coded based on incident summary review. 911 dispatch coded 11 CFS as a disturbance (figure 6). But, after an officer arrived on scene and gathered more information, they learned the call was more related to a different call type. After incident summary review, seven of the 11 disturbances were re-categorized to the appropriate call type below. An updated graph below (figure 7) shows a more accurate representation of call types re-categorized based on incident summary where force was used.

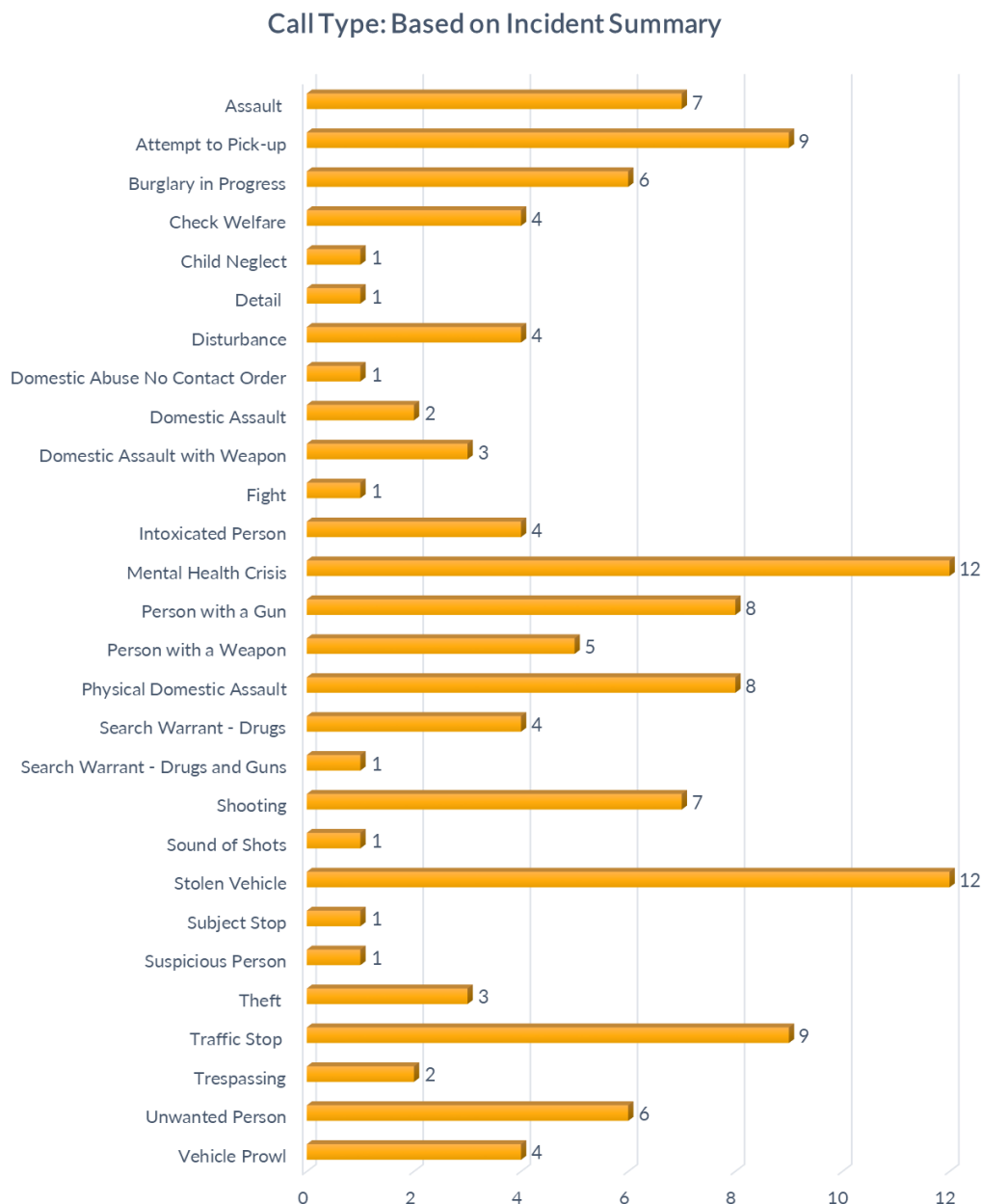


Figure 7: Call Type: Based on Incident Summary

Data/Analysis Cont.

Call Type: Based on Incident Summary by Race

Below is a breakdown of call types based on the incident summary by racial demographics where force was used.

Call Type Based on Incident Summary	White	Native American	Hispanic	Black	Asian
Assault	5			2	
Attempt to Pick-Up	3	4		2	
Burglary in Progress	4			4	
Check Welfare	4				
Child Neglect		1			
Detail				1	
Disturbance	2	1		1	
Domestic Abuse No Contact Order	1				
Domestic Assault	2				
Domestic Assault with Weapon	2	1		1	
Fight	2				
Intoxicated Person	3	1			
Mental Health Crisis	5	2		5	
Person with a Gun	5	4		3	
Person with a Weapon	1	3		1	
Physical Domestic Assault	2	4		2	
Search Warrant - Drugs	1			3	
Search Warrant - Drugs and Guns		1			
Shooting	1			10	
Sound of Shots	1				
Stolen Vehicle	7	4		7	
Subject Stop		1			
Suspicious Person	1				
Theft	1		1	1	
Traffic Stop	7	3		1	
Trespassing	2				
Unwanted Person	4	2		1	
Vehicle Prowl	2	1		1	
Total	68	33	1	46	0

Figure 8: Call Type: Based on Incident Summary by Race

Data/Analysis Cont.

Analysis of the Most Common Call Types based on Incident Summary

There were 148 subjects involved in the 127 UOF incidents. Property Crime Incidents (Stolen Vehicle, Theft, Vehicle Prowl), Domestic Assault Incidents (Domestic Abuse No Contact Order, Domestic Assault, Domestic Assault with Weapon, Physical Domestic Assault), Crimes Against Persons Incidents (Assault, Shooting, Sounds of Shots), and Mental Health Crisis and Addiction Incidents (Mental Health Crisis, Intoxicated Person) were the most common call types resulting in use of force. These 64 call types account for 50.4% of all UOF incidents.

There were 19 Property Crime Incidents (15%) with 25 subjects involved where force was used. Below is a breakdown of the racial demographics of subjects involved in those incidents.

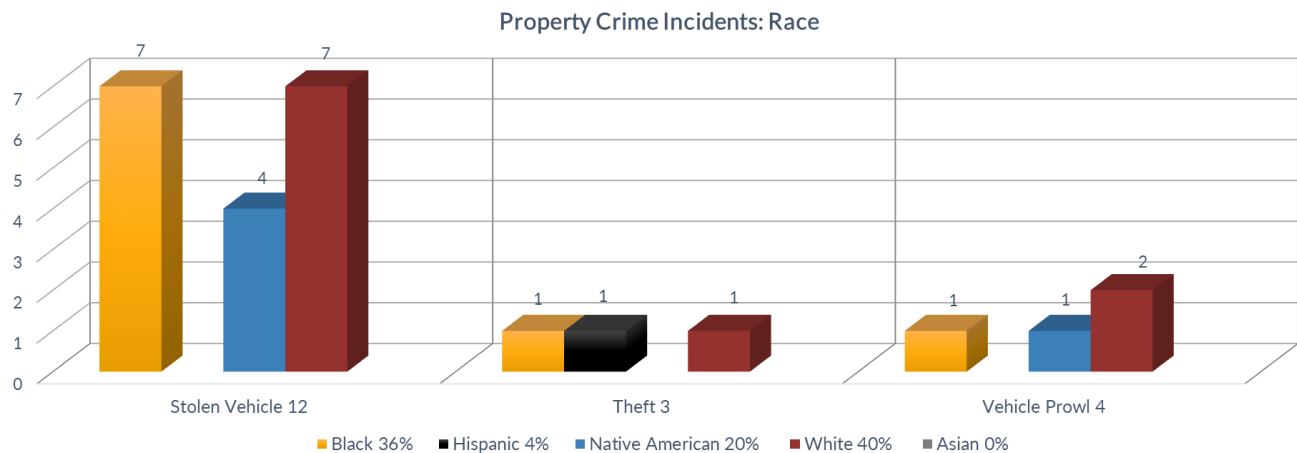


Figure 9: Property Crime Incidents by Race

There were 14 Domestic Assault Incidents (11%) with 15 subjects involved where force was used. Below is a breakdown of the racial demographics of subjects involved in those incidents.

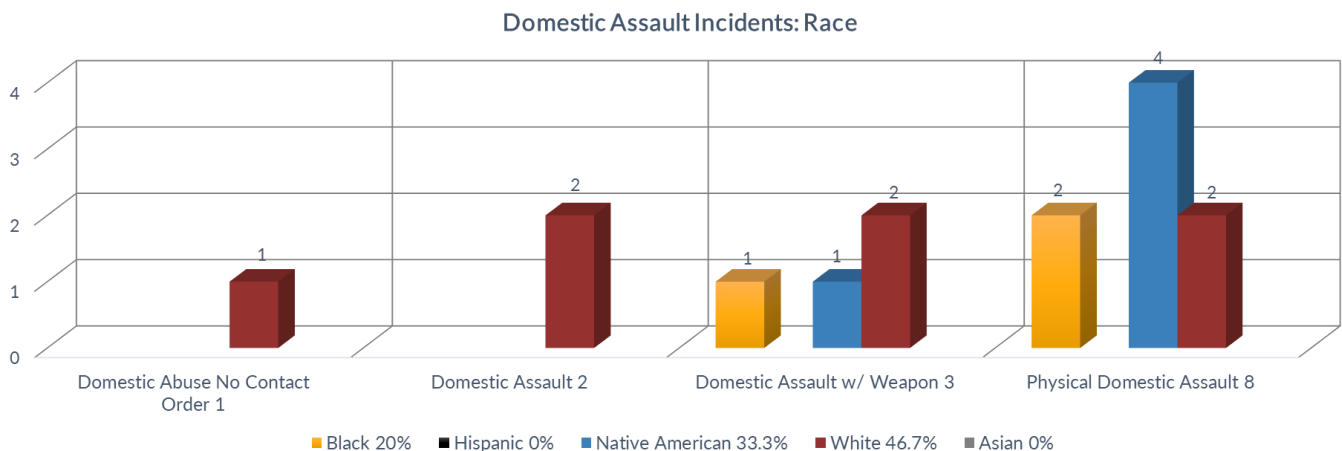


Figure 10: Domestic Assault Incidents by Race

Data/Analysis Cont.

There were 15 Crimes Against Persons Incidents (11.8%) with 19 subjects involved where force was used. Below is a breakdown of the racial demographics of subjects involved in those incidents.

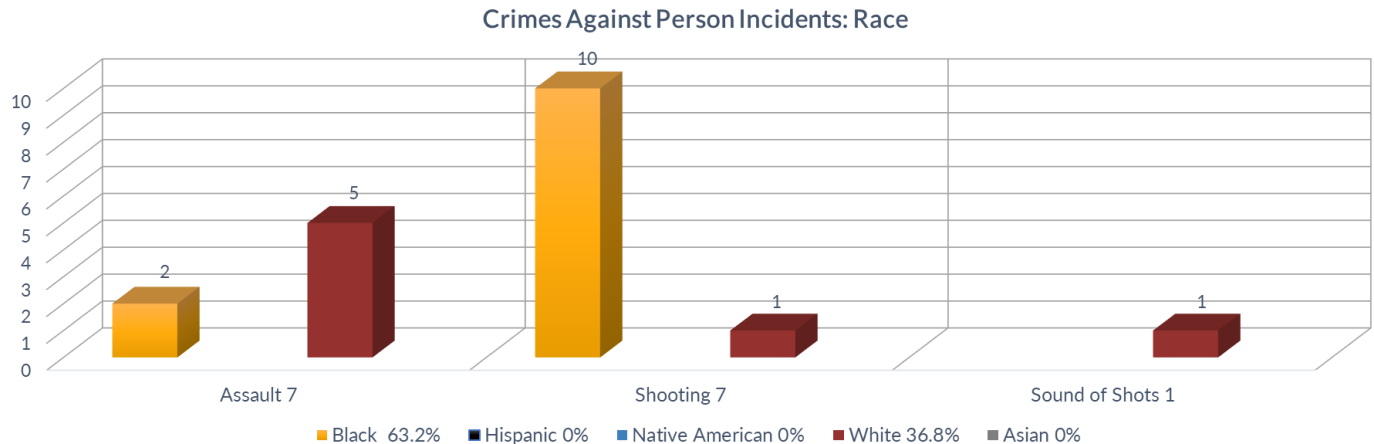


Figure 11: Crimes Against Person Incidents by Race

There were 16 Mental Health Crisis and Addiction Incidents (12.6%) with 16 subjects involved where force was used. Below is a breakdown of the racial demographics of subjects involved in those incidents.

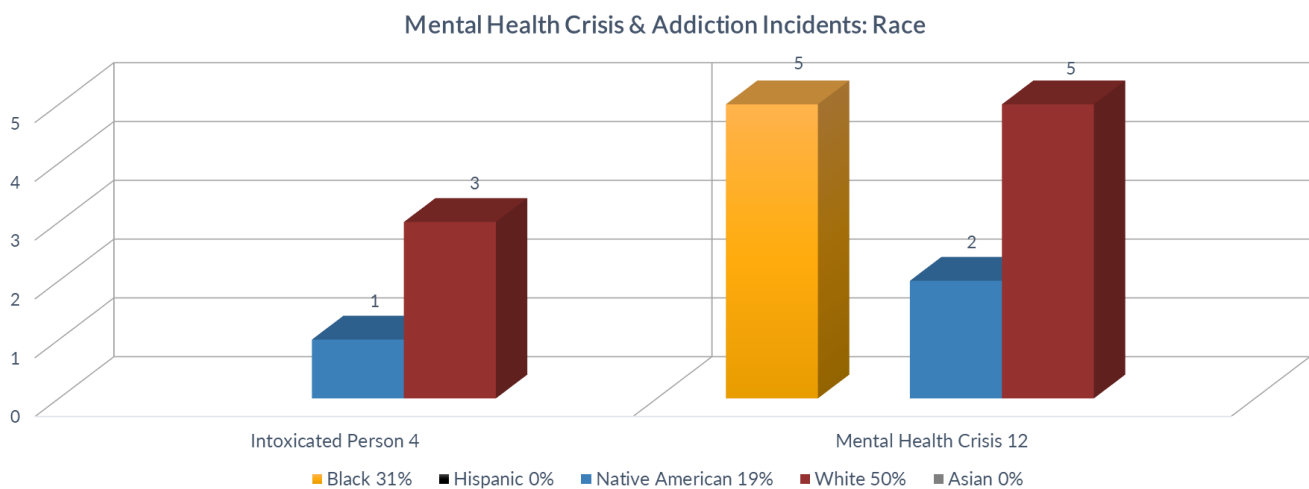


Figure 12: Mental Health Crisis & Addiction Incidents by Race

Data/Analysis Cont.

Response Type

There are two types of officer responses involving UOF. Proactive (officer initiated) and Reactive (911 generated). Below are the UOF incidents involving those responses. The majority of the 127 UOF incidents officers were involved in stemmed from a 911 generated call for service. These Reactive (911 generated) responses account for 91.3% of UOF incidents.

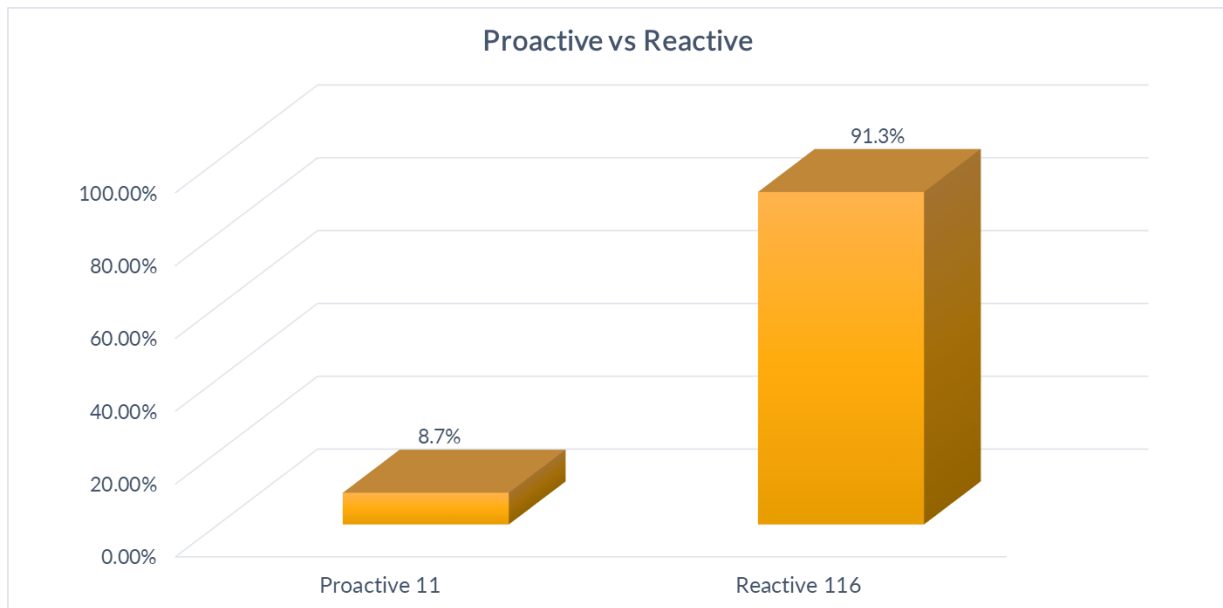


Figure 13: Response Type: Proactive vs. Reactive

Proactive Response Type by Race

Figure 13 shows 116 UOF incidents (91.3%) resulting in a 911 generated CFS. The following chart breaks down the remaining 11 UOF incidents (8.7%), which resulted from self-initiated or Proactive officer activity. These 11 incidents are made up of Traffic Stops, Subject Stop, and Vehicle Prowl; involving 13 subjects.

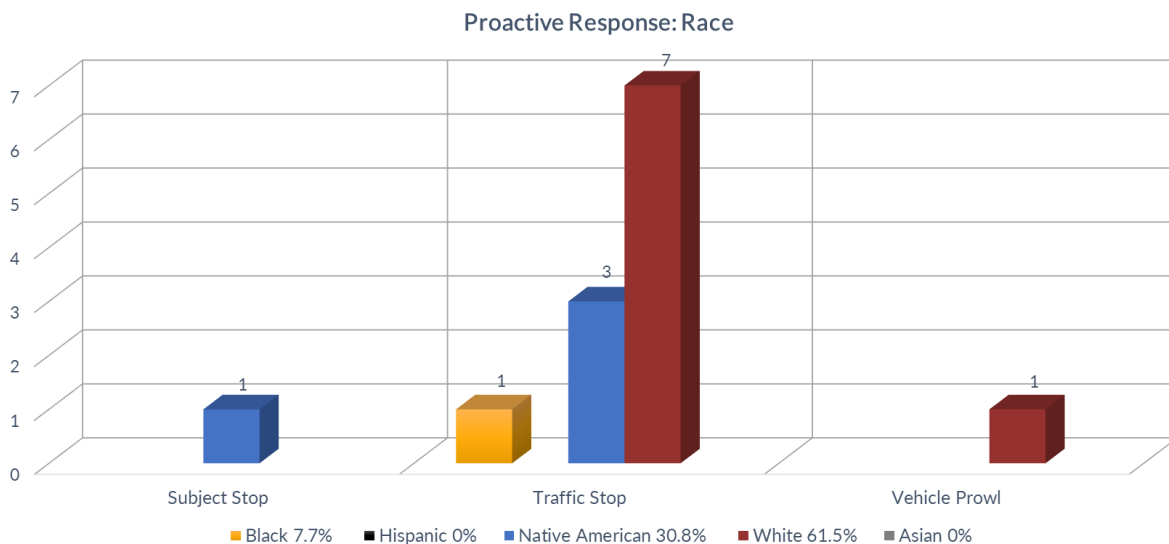


Figure 14: Proactive Response by Race

Data/Analysis Cont.

Subject Resistance

The below chart shows the types of resistance the 148 subjects exhibited before and during a UOF incident. Subjects may exhibit one or more resistance types during an incident. There were nine subject resistance types, occurring 237 times during 127 UOF incidents.

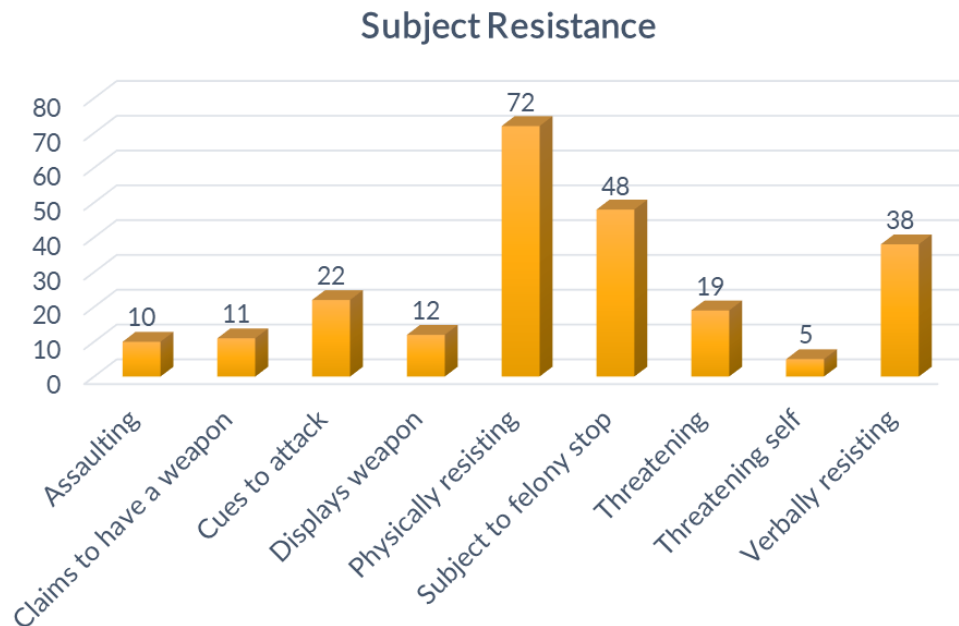


Figure 15: Subject Resistance

Subject Resistance by Race

Figure 15 shows nine different subject resistance types, which occurred 237 times during 127 UOF incidents. The below chart shows the subject resistance types by racial demographics.

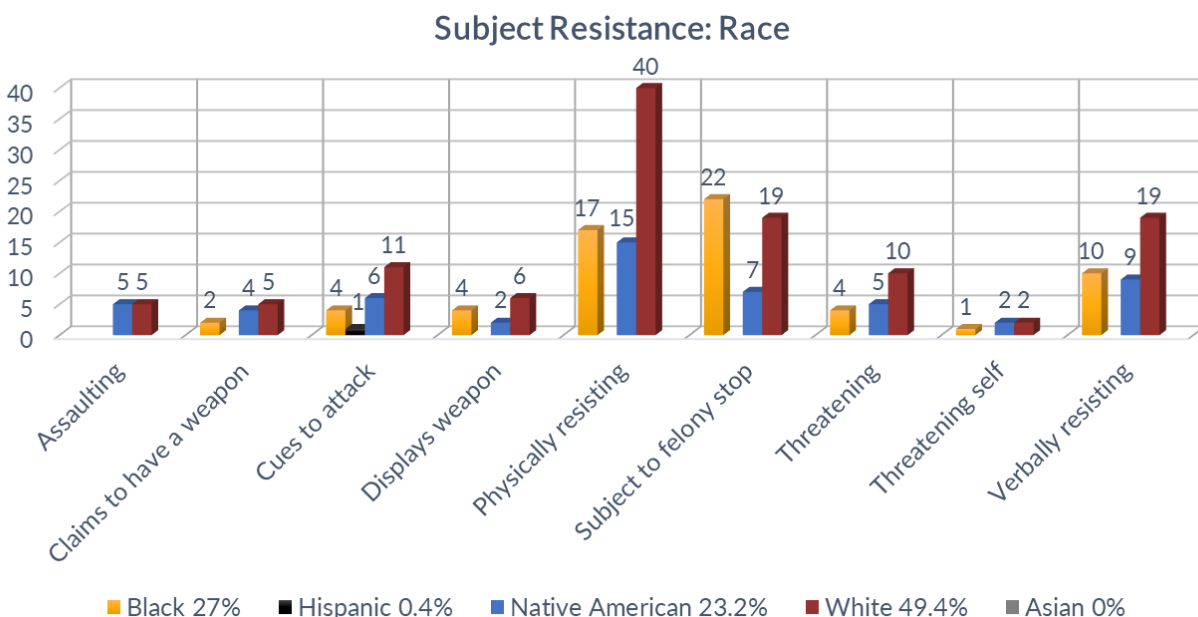


Figure 16: Subject Resistance by Race

Data/Analysis Cont.

The data presented in figures 15 and 16 show 237 subject resistance types during the 127 UOF incidents. There were 148 subjects involved in the 127 UOF incidents. Again, a subject may exhibit one or more resistance types during a UOF incident.

Out of the 237 subject resistance types that were exhibited by subjects during UOF incidents, physically resisting (30.4%) and subject to a felony stop (20.3%) were the most common resistance types officers encountered. Subjects who physically resist an officer's lawful order or action usually do this in a defensive manner. Subjects may tense their body to avoid being handcuffed, pull away from officers, or flee. The second most common subject resistance, subject to felony stop, is a resistance type that is common during high-risk calls. High-risk calls include, but are not limited to, Stolen Vehicles, Search Warrants, or in-progress incidents such as Shootings, Burglaries, or Assaults.

Force Type

The type of force used by officers in every UOF incident is documented and reviewed. Below are the force types that were used in the 127 UOF incidents in 2020. Out of the 20 different force types, 271 types of force were documented during the 127 UOF incidents, involving 148 subjects. An officer may use one or more types of force during a UOF incident. The three most common types of force used by officers are Handgun Aimed (26.2%), Take Down (17%), and Soft Empty Hand Control (11.4%).

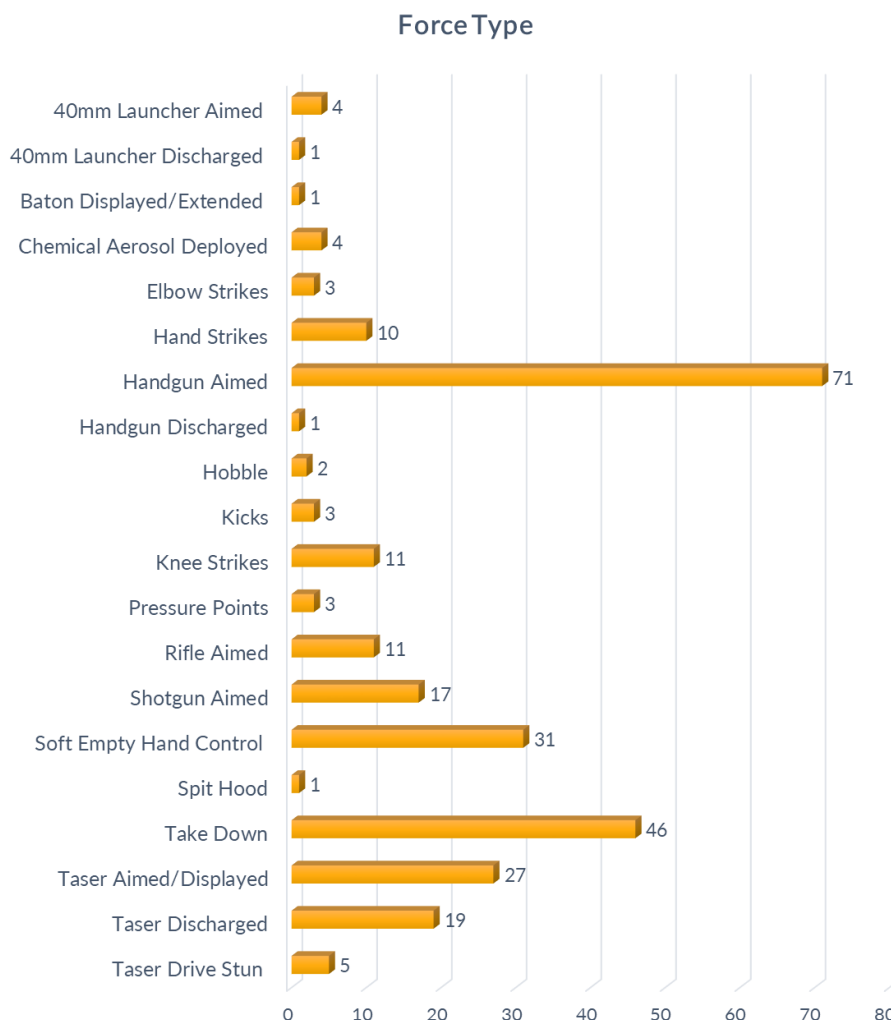


Figure 17: Force Type

Data/Analysis Cont.

Force Type by Race

Again, there were 271 types of force used during the 127 UOF incidents, involving 148 subjects. Below is a breakdown of force types by racial demographics.

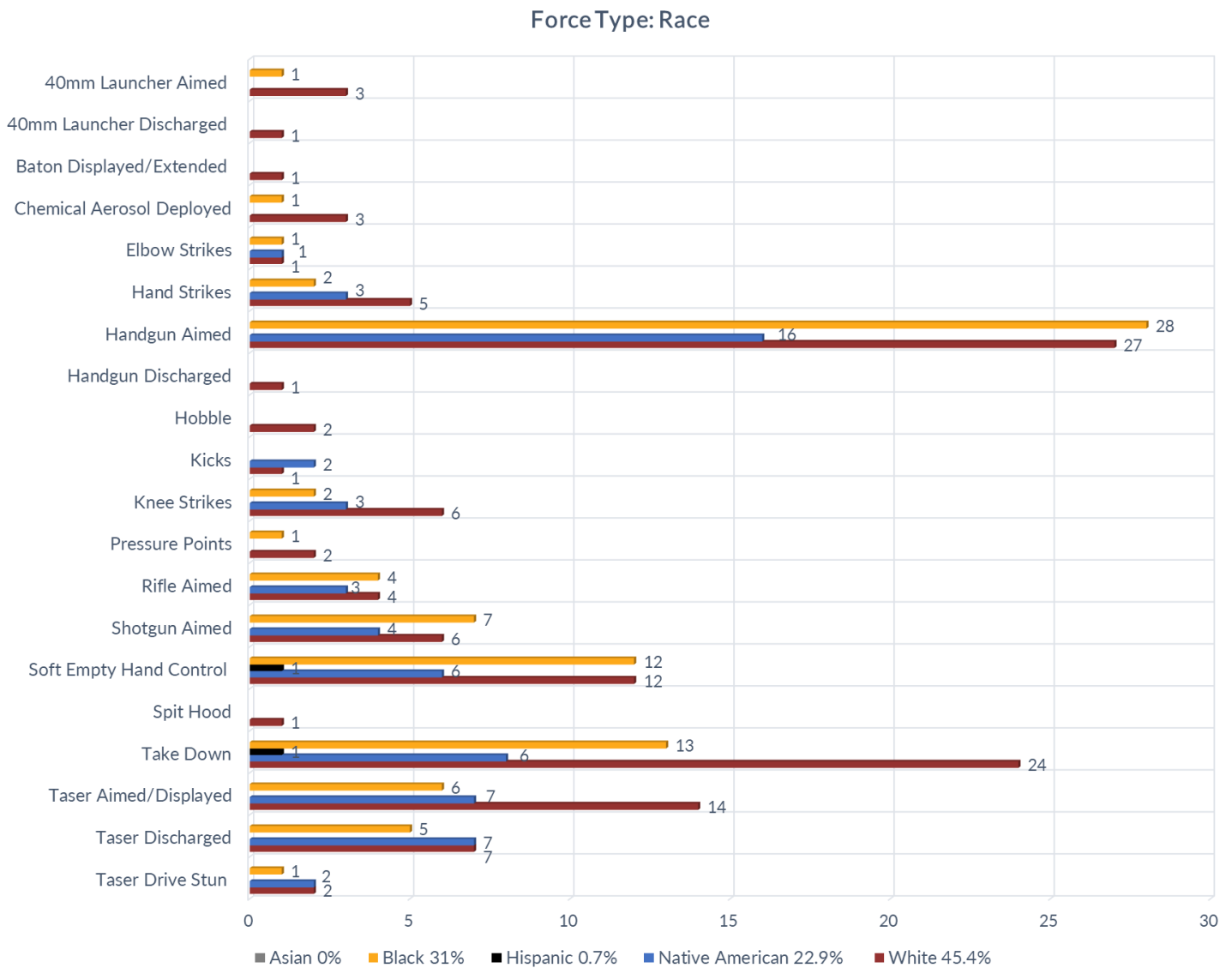


Figure 18: Force Type by Race

Data/Analysis Cont.

After further analysis, firearms (handgun, shotgun, rifle) aimed accounted for 99 out of 271 different types of force (36.53%) used. This type of force is used during high-risk calls for service, including felony traffic stops or in-progress incidents like Shootings, Burglaries, or Assaults.

Many police departments throughout the nation do not require their officers to report when a firearm, taser, or less-lethal launcher is pointed at subjects. The Duluth Police Department requires officers to document every instance in which an officer points their firearm, taser, or less-lethal launcher in the direction of, or at a subject.

Use of Force Reason

Officers are required to document a reason for each UOF incident in their Subject Resistance Report. Below are the UOF reasons for the 127 UOF incidents. Out of the 127 UOF incidents needed to effect arrest (41.7%) and needed to protect officer (26.8%) were the most common UOF reasons. Again, there were 148 subjects involved in the 127 UOF incidents.

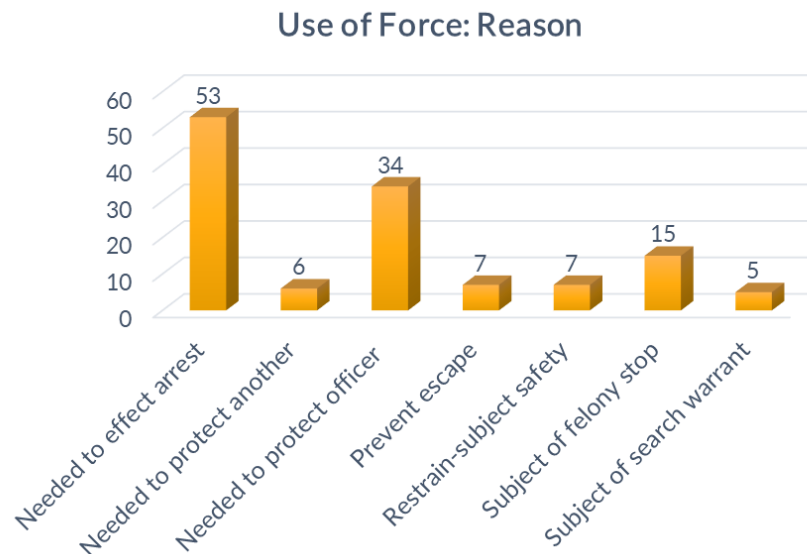


Figure 19: Use of Force Reason

Use of Force Reason by Race

Below is a breakdown of UOF reason by racial demographics.

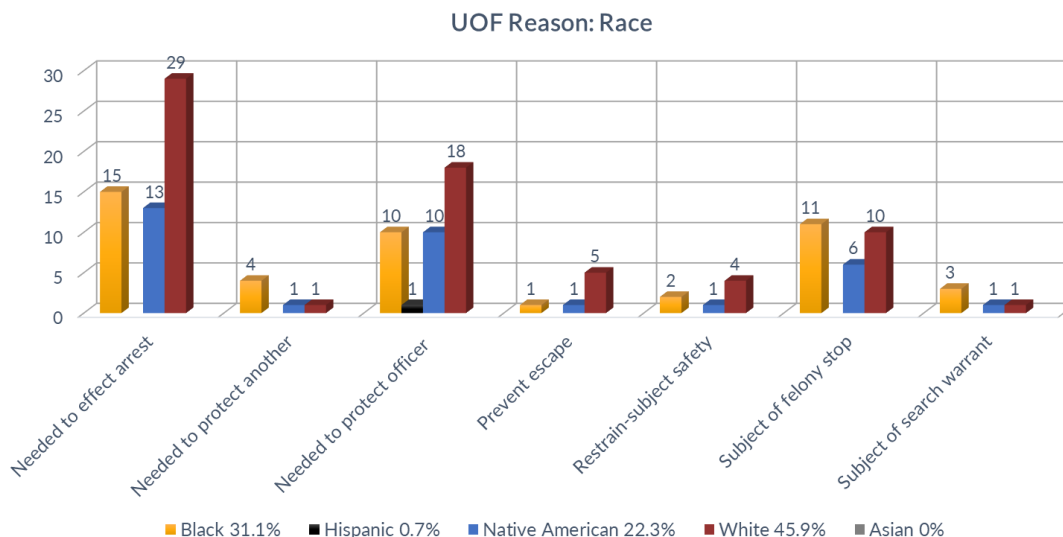


Figure 20: Use of Force by Race

Data/Analysis Cont.

Use of Force Incident by Location

The City of Duluth is divided into six patrol districts. Each UOF incident is represented by a red dot in Figure 21 and is shown in Figure 22 by district.

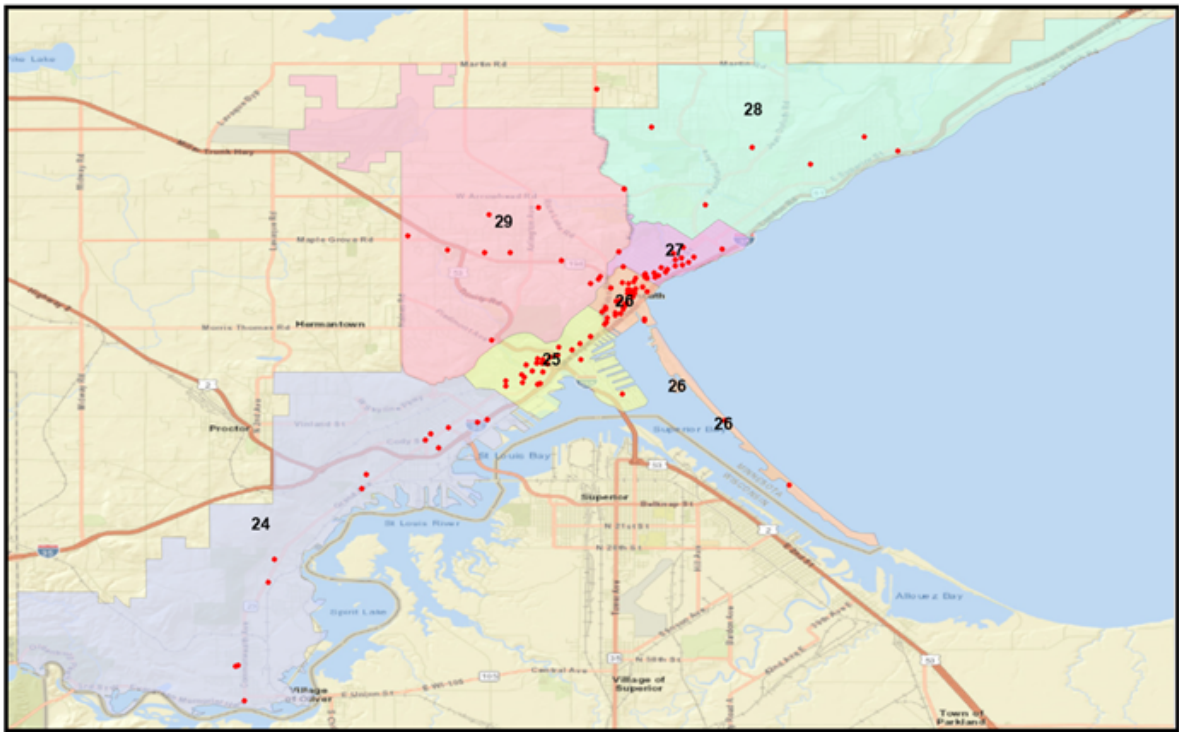


Figure 21: Use of Force Incident Location

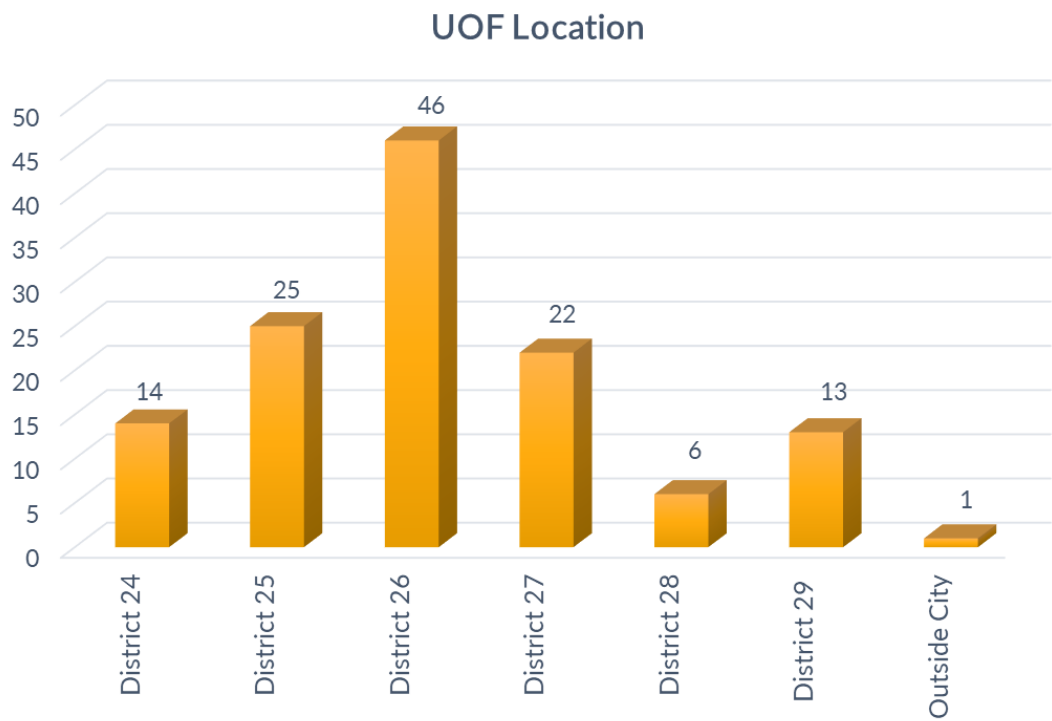


Figure 22: Use of Force Incident Location by District

Data/Analysis Cont.

Use of Force Incident Location by Race

148 subjects were involved in the 127 UOF incidents. The below charts show the racial demographic breakdown by subjects in relation to the UOF incident location.

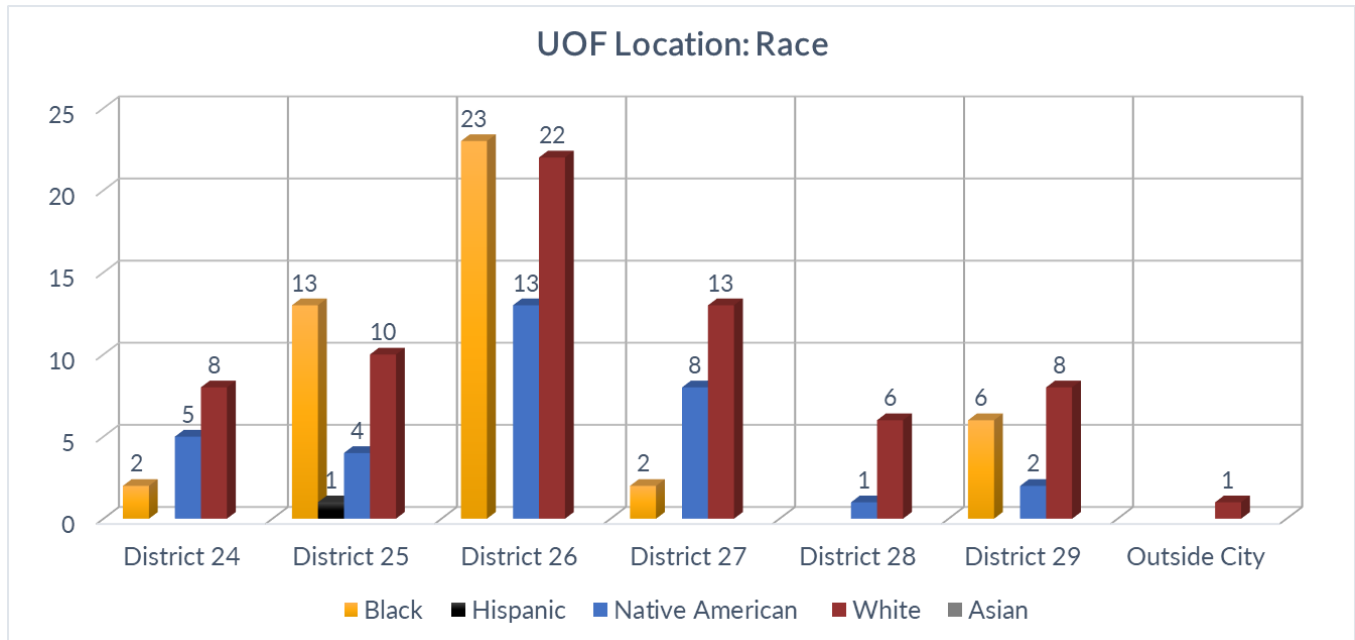


Figure 23: Use of Force Incident Location by Subject Race (count)

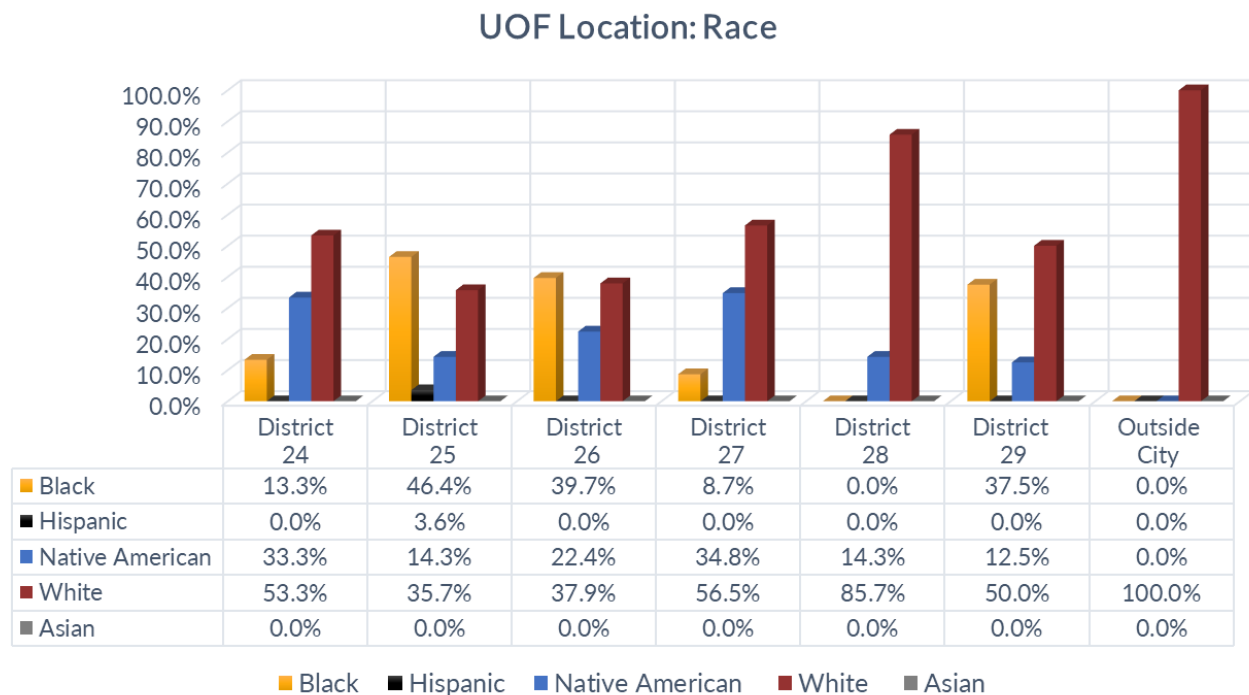


Figure 24: Use of Force Incident Location by Subject Race (percentage)

Data/Analysis Cont.

Use of Force Subject Injury

There were 148 subjects involved in 127 UOF incidents. Below is a breakdown of subjects injured or claiming of injury during UOF incidents.

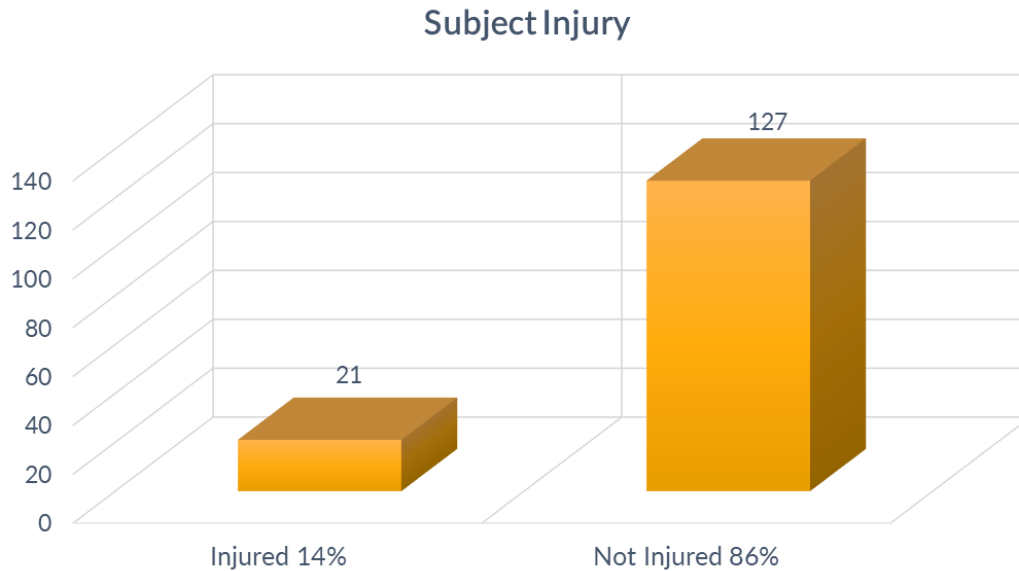


Figure 25: Subject Injury

Use of Force Subject Injury by Race

Below is a racial demographic breakdown of the 21 subjects (14%) that were injured during a UOF incident.

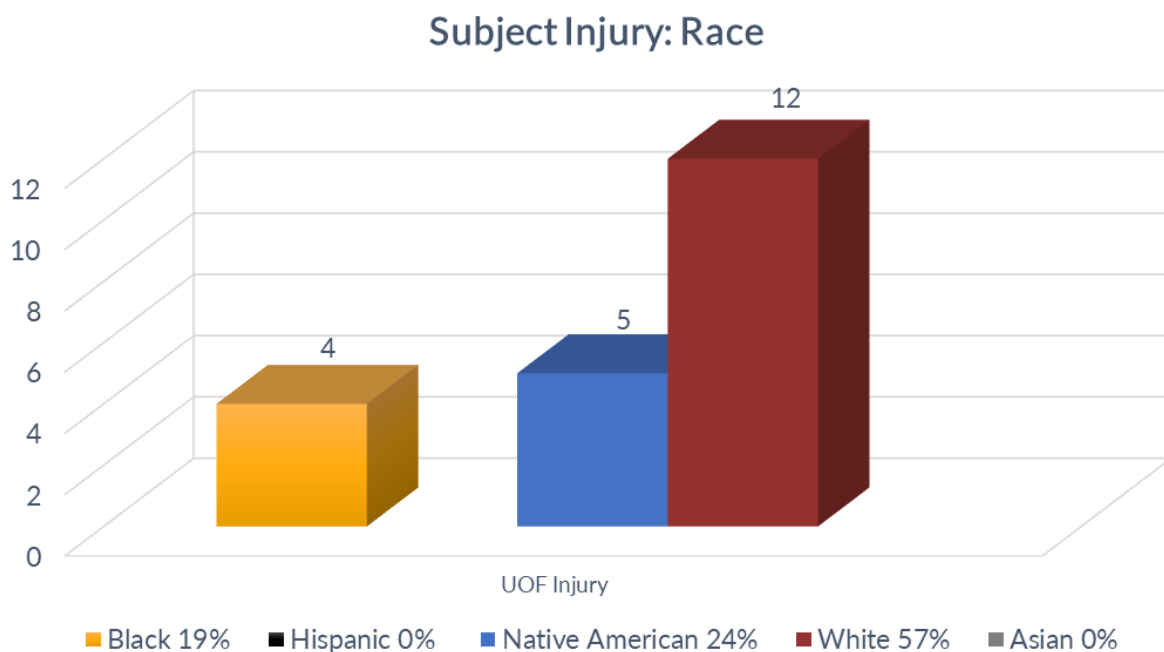


Figure 26: Subject Injury by Race

Data/Analysis Cont.

Duluth Police Department policy 300.6 states the following regarding medical consideration:

"Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed."

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible. The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate."

Use of Force Officer Injury

There were 279 officers involved in 127 UOF incidents. Below is a breakdown of officers injured during a UOF incident.

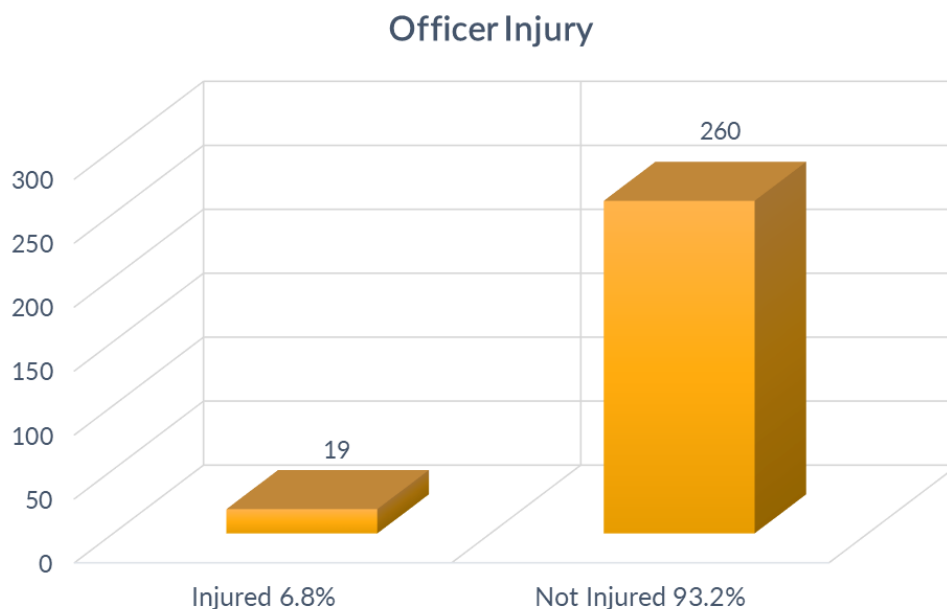


Figure 27: Officer Injury

