

**Government of the District of Columbia
Police Complaints Board
Office of Police Complaints**



**2023 Report on Use of Force by the
Washington, D.C.
Metropolitan Police Department**

October 9, 2024

KEY FINDINGS SUMMARY

- MPD officers reported discharging their firearms at eight people and four dogs in 2023; one person and four dogs were fatally injured in these incidents
- UFRB reviewed fourteen new neck restraint cases in 2023, which all took place in 2023
- Reported use of force incidents increased by 11% from 2022 to 2023; the number of uses of force increased by 10% from 2022 to 2023
- The number of officers who reported using force decreased by less than 4% in 2023; roughly 25% of MPD officers reported using force in 2023
- 86 officers reported using force five times or more in 2023; 17 officers reported using force 10 times or more
- Subjects reportedly assaulted officers in 25% of reported use of force incidents in 2023
- 24% of uses of force involved subjects who were reportedly armed with some type of weapon in 2023, 17% of uses of force involved subjects who were reportedly armed with a firearm
- Subjects in 23% of incidents were reportedly under the influence of alcohol or drugs or reportedly exhibited signs of mental illness
- The Third, Sixth, and Seventh Districts reported the most uses of force in 2023, each accounting for 15% to 25% of uses of force
- The five Police Service Areas with the most reported uses of force were in the Sixth, Third, Seventh, and Fifth Districts
- As of August 2024, MPD has fully implemented eight of OPC's use of force recommendations, partially implemented four and has not implemented two

MESSAGE FROM THE EXECUTIVE DIRECTOR

The mission of the Office of Police Complaints and its volunteer community board, the Police Complaints Board, is to improve community trust in the District's police through effective civilian oversight of law enforcement. As a government agency that functions completely independently of the Metropolitan Police Department, we strive to help the community and its police department to work together to improve public safety and trust in the police.

This report serves our mission by helping our community and police department understand the circumstances in which force is used by the police in the District of Columbia. At the conclusion of this report we offer recommendations that will further enhance community trust and improve future editions of this report. Several key findings from this report are:

- Officers discharged their firearms at eight human subjects in 2023 which resulted in one fatality
- The total number of reported use of force incidents increased by 11% over the previous year
- Subjects were reportedly armed with some type of weapon in 24% of reported uses of force, with 17% involving a subject armed with a firearm
- Officer use of force was reported most in the Third, Sixth, and Seventh Districts, which together accounted for 59% of all reported use of force incidents.
- 94% of all reported use of force subjects were Black community members
- 46% of all use of force incidents occurred in census tracts that are 81-100% Black
- Takedowns and control holds were the most common types of force used in 2023, accounting for 39% of all uses of force

We hope you find this report informative. We believe that making this information readily available to our community will contribute to increasing public trust in the Metropolitan Police Department, and we welcome your comments and suggestions.

Sincerely,

Michael G. Tobin

Michael G. Tobin

TABLE OF CONTENTS

INTRODUCTION	5
Report Overview	5
Metropolitan Police Department	5
Office of Police Complaints	6
Police Complaints Board	7
Police Complaints Board Members	7
MPD Reporting System	10
July 2019 PPMS Enhancement	10
January 2020 Enhancement	11
Data Collection and Scope	12
USE OF FORCE OVERVIEW	13
MPD's Definition of Use of Force	13
Use of Force Training	13
USE OF FORCE FINDINGS	16
Number of Uses of Force	16
Use of Force Incidents	16
Uses of Force	16
Officers Using Force	16
Officers Using Force on Duty, In Uniform	16
Subject Behavior in Use of Force Incidents	18
Officers Pointing Firearms at Subjects	18
Armed Subjects in Use of Force Incidents	18
Types of Use of Force	20
Rate of Injuries in Use of Force Incidents	20
DEMOGRAPHICS	22
Demographics of Officers Using Force	22
Demographics of Subjects of Force	22
Officer and Subject Demographic Pairings	22
CHARACTERISTICS OF OFFICERS AND SUBJECTS	24
Ranks of Officers Using Force	24
Years of Service and Age of Officers Using Force	24
Subjects Impaired or Assaulting Officers	24

TABLE OF CONTENTS

<u>USE OF FORCE BY LOCATION</u>	<u>26</u>
Overview	26
Use of Force Incident Census Tracts	28
<u>SERIOUS USE OF FORCE INCIDENTS</u>	<u>29</u>
Use of Force Review Board	29
MPD UFRB 2023 Dispositions	30
<u>OFFICER-INVOLVED FIREARM DISCHARGES</u>	<u>31</u>
Overview	31
Fatal Officer-Involved Firearm Discharges	31
Non-Fatal Officer-Involved Firearm Discharges	32
Negligent Firearm Discharges	32
Officer-Involved Firearm Discharges at Animals	32
Subject Behavior in Officer-Involved Firearm Discharges	32
2022 Summary of Officer-Involved Firearm Discharge Incidents – Updated	35
2023 Summary of Officer-Involved Firearm Discharge Incidents	36
<u>NECK RESTRAINTS</u>	<u>38</u>
UFRB’s Determinations – Neck Restraints	38
<u>ELECTRONIC CONTROL DEVICE (ECD) DEPLOYMENTS</u>	<u>40</u>
Overview	40
<u>RECOMMENDATIONS</u>	<u>41</u>
UFRB Recommendations to MPD	41
2023 OPC Recommendations	42
2022-2018 OPC Recommendations Update	43
FY17 OPC Recommendations Update	46
<u>APPENDIX A: MPD FORCE INCIDENT REPORT</u>	<u>51</u>
<u>APPENDIX B: HIERARCHY OF FORCE</u>	<u>55</u>

INTRODUCTION

Report Overview

This document is the seventh annual report on Washington D.C.’s Metropolitan Police Department (MPD) use of force, produced by the D.C. Office of Police Complaints (OPC). On June 30, 2016, the Neighborhood Engagement Achieves Results Act of 2015 (NEAR Act),¹ a comprehensive public safety bill, became law in the District. One requirement of the NEAR Act was that OPC produce an annual report on MPD’s use of force in the District.

Police use of force remains a major topic of discussion and concern throughout the country. Police officers are empowered to use force to maintain the peace, but with that power comes high standards and responsibility. This report details the standards and policies regarding MPD officers’ use of force, including the types of force used, the procedures for determining the appropriate amount of force for a given situation, as well as the oversight and review of use of force incidents. It also highlights the practices of MPD officers in the District – how often force is used, what type of force is used, and whom it is used against.

OPC’s inaugural FY17 Use of Force Report² was the first comprehensive use of force report produced in the District since at least 2007, and it was the first of its kind produced by an agency independent of MPD. The 2018 Use of Force Report changed the reporting period from a fiscal year to a calendar year and was a continuation and extension of the inaugural report. The 2018 report also updated the statistics presented in the inaugural report and contained new data and information. Among the new statistics presented in the 2018³ report were: the

number of uses of force per officer; whether subjects were reportedly under the influence; whether subjects reportedly exhibited signs of mental illness;⁴ whether the subjects reportedly assaulted officers during the use of force incident; and a comparison of the average age of officers by police district. For more information regarding the changes in the Use of Force data collection and reporting please visit <https://policecomplaints.dc.gov/page/use-force-reports> to see OPC’s previous Use of Force Reports. This 2023 report maintains the calendar year reporting period.

Metropolitan Police Department

MPD is the primary police force in the District of Columbia. D.C. is also home to many other law enforcement agencies – including the U.S. Capitol Police, U.S. Park Police, U.S. Secret Service, the Metro Transit Police Department, and others. However, MPD has the general responsibility of enforcing the law in the nation’s capital except where those other law enforcement agencies have primary jurisdiction. MPD also maintains cooperation agreements with these other agencies allowing MPD to assist in law enforcement actions where the federal agencies have primary jurisdiction.

MPD maintains a police force of approximately 3,466 sworn officers, along with a non-sworn support staff of approximately 558 personnel.⁵ MPD is one of the 10 largest metropolitan police forces in the United States in terms of the number of officers.⁶ MPD’s service area is divided into seven police districts, along with various special divisions including a Special Operations Division, a Narcotics and Enforcement Unit, and a Crime Investigations Division. MPD officers received 592,108 calls for service in 2023, and there were 34,144 reported

1: “Neighborhood Engagement Achieves Results Act of 2015.” Available [here](#)

2: “Report on Use of Force by the Washington, D.C. Metropolitan Police Department Fiscal Year 2017.” D.C. Office of Police Complaints; 23 January 2018. Available [here](#)

3: “Report on Use of Force by the Washington, D.C. Metropolitan Police Department Calendar Year 2018.” D.C. Office of Police Complaints; 3 March 2019.” Available [here](#)

4: For the purposes of this report, subjects were categorized as exhibiting signs of mental illness if the responding officer(s) explicitly reported suspecting the subject(s) of being mentally ill; if the officer(s) mentioned completing a Form FD-12 (Application for Emergency Hospitalization) for the subject; or if the officer(s) described the subject as being suicidal. For more information on Forms FD-12 and MPD policies regarding subjects suspected of being mentally ill, see GO-OPS-308.04, “Interacting with Mental Health Consumers,” available [here](#)

5: Numbers of 2022 MPD sworn officers and non-sworn support staff are based on the December 2022 reports OPC received from MPD

6: Information gathered [here](#)

INTRODUCTION

crimes in 2023 in the District, with MPD officers conducting 17,729 arrests in 2023.⁷

Office of Police Complaints

OPC is an independent D.C. government oversight agency whose mission is to increase community trust in the police forces of the District of Columbia. All OPC personnel are D.C. government employees, and the agency functions entirely separately and independently from MPD.

The primary function of OPC is to receive, investigate, and resolve police misconduct complaints filed by the public against sworn officers of MPD and the D.C. Housing Authority Police Department (DCHAPD). OPC has jurisdiction over complaints alleging seven types of police officer misconduct: harassment, inappropriate language or conduct, retaliation, unnecessary or excessive force, discrimination, failure to identify, and most recently, failure to intervene.

OPC also reviews police policies, procedures, and practices to assist in ensuring the District police forces

are using the best practices available, with a special emphasis on constitutional policing methods. These policy reviews often result in formal and informal recommendations for improvement. The policy recommendations may involve issues of training, procedures, supervision, or general police operations. OPC's mission also includes helping bridge the gap in understanding that often exists between community members and our police forces. OPC's mediation program helps facilitate conversations to eliminate misunderstandings between complainants and officers, while its community outreach programs include activities focused on both the public and police officers to improve mutual understanding and awareness throughout the District of Columbia.

With respect to the Use of Force Report, the OPC's goal is to enhance the transparency regarding MPD's use of force. Another goal of this report is to strengthen the public trust in MPD. Further, the Use of Force Report can aid in MPD's accuracy with respect to reporting uses of force, thereby enhancing the validity of the data.

7: MPD has not published their 2022 annual report, but the number of calls for service in 2023 were provided to OPC by IAD. Arrest data available [here](#)

INTRODUCTION

Police Complaints Board

OPC is governed by the Police Complaints Board (PCB), which, along with OPC, was established in 2001. The PCB is an oversight board composed of D.C. volunteer community members. In July of 2020 there were changes made to the PCB enacted by emergency legislation. The emergency legislation states: “The Board shall be composed of 9 members, which shall include one member from each Ward and one at-large member, none of whom, after the expiration of the term of the currently serving member of the MPD, shall be affiliated with any law enforcement agency.”⁸ The emergency legislation also grants more decision making power to the Executive Director of OPC.

The PCB actively participates in the work of OPC, offering guidance on many issues affecting OPC’s operations. The PCB is also charged with reviewing the Executive Director’s determinations regarding the dismissal of complaints; making policy recommendations to the Mayor, the Council, MPD, and DCHAPD to improve police practices; monitoring and evaluating MPD’s handling of First Amendment assemblies and demonstrations held in the District; and reviewing and approving reports released by OPC. The PCB approved this report.

To learn more about OPC and the PCB, and to see examples of their work and services, please visit <http://policecomplaints.dc.gov/>.

Police Complaints Board Members

The current PCB includes the following members:

Paul D. Ashton II, appointed chair of the PCB on October 4, 2016, is the Deputy Executive Director for the Justice Policy Institute (JPI), a national nonprofit dedicated to criminal justice reform. As Deputy Executive Director, Mr. Ashton directs organizational operations and works to enhance JPI’s effectiveness across justice reform projects. Prior to assuming this role, Mr. Ashton spent over a decade at JPI in a variety of roles, most recently as the Interim Executive Director where he led the organization through a 10-month leadership transition. He has authored several publications at JPI, including: *Gaming the System*; *Rethinking the Blues*; *Moving Toward a Public Safety Paradigm*; *The Education of D.C.*; and *Fostering Change*.

Prior to joining JPI, Mr. Ashton spent time conducting research examining intimate partner violence in the LGBTQ community and served as a sexual assault victim advocate at the University of Delaware. He is an active member in the Washington, D.C. community, having served on the Young Donors Committee for SMYAL, an LGBTQ youth serving organization, and on the Board of Directors of Rainbow Response Coalition, a grassroots advocacy organization working to address LGBTQ intimate partner violence.



Mr. Ashton received his bachelor’s degree in Criminology from The Ohio State University, a master’s degree in Criminology from the University of Delaware, and completed an Executive Program in Social Impact Strategy from the University of Pennsylvania. He was appointed by Mayor Vince C. Gray, confirmed by the Council in October 2014, and sworn in on December 22, 2014. Mr. Ashton was re-nominated by Mayor Muriel Bowser and appointed on February 6, 2024, for a new term ending January 12, 2025.

Earl Fowlkes II, the President/CEO Emeritus of the Center for Black Equity, Inc. (formerly the International Federation of Black Pride - IFBP) after recently retiring. He founded the IFBP in 1999 as a coalition of organizers in the United States, Canada, United Kingdom and South Africa formed to promote a multinational network of Black LGBTQ Pride and community-



8: To see the emergency legislation please visit this [site](#) and see section 105

INTRODUCTION

based organizations. There are over fifty plus Black Pride events with over 450,000 attendees each year.

Prior to working at the Center For Black Equity, Earl previously served fifteen years as the Executive Director of the DC Comprehensive AIDS Resources and Education Consortium (DC CARE Consortium) and Damien Ministries, organizations that provided services to Person Living With HIV/AIDS in Washington, DC.

Earl has worked on health, political and LGBTQ issues in many communities for over thirty years. Earl currently serves as Chair or Co-Chair of several non-profit Boards of Directors and Advisory Boards including the Damien Ministries and the National Gay & Lesbian Chamber of Commerce Communities of Color Initiative. Earl is very much committed to a progressive political agenda and currently serves as the Democratic National Committee (DNC) LGBT Caucus Chair and as an appointed member of the DNC Executive Committee. Mr. Fowlkes was appointed by Mayor Muriel Bowser on March 2, 2021, and confirmed by the DC Council for a term ending January 12, 2024.

Bobbi Strang, is a Claims Examiner with the District of Columbia Department of Employment Services (DOES) Office of Workers' Compensation. She was the first openly transgender individual to work for DOES where she provided case management for Project Empowerment, a transitional employment program that provides job readiness training, work experience, and job search assistance to District residents who face multiple barriers to employment.



Ms. Strang is a consistent advocate for the LGBTQ community in the District of Columbia. She has served as an officer for the Gertrude Stein Democratic Club, a board member for Gays and Lesbians Opposing Violence, and a co-facilitator for the DC LGBT Center Job Club. Ms. Strang was also awarded the 2015 Engendered Spirit Award by Capital Pride as recognition for the work she has done in the community. Currently, she volunteers at the D.C. Center as the Center Careers facilitator.

Ms. Strang holds a bachelor's degree in Sociology and English Literature from S.U.N.Y. Geneseo as well as a Master of Arts in Teaching from Salisbury University. She was first appointed by Mayor Muriel Bowser and confirmed by the District Council on November 3, 2015. Ms. Strang was reappointed on February 6, 2024, for a term to end on January 12, 2026.

Jeff H. Tignor, leads the Office of Communications Business Opportunity at the Federal Communications Commission. Mr. Tignor is also an adjunct professor at the Duke University School of Law. Mr. Tignor is the former Chairman of Advisory Neighborhood Commission (ANC) 4B. He was elected as the ANC Commissioner for ANC 4B-08 in November 2002 and served as the Chairman of ANC 4B during 2003 and 2004, often working on issues affecting public safety. Mr. Tignor is currently the Chair of the Board of Washington Episcopal School and Immediate Past President on the Board of the Harvard Club of Washington, D.C.



Mr. Tignor graduated from Harvard with an AB in Government in 1996 and from the Duke University School of Law in 1999. He moved to Washington, D.C. to live in his grandfather's former home in Ward 4, where he still lives today with his wife, Kemi, and son, Henry. Someone in the Tignor family has been living in Washington, D.C. continually, as far as he knows, since just after the Civil War. Mr. Tignor was appointed by Mayor Muriel Bowser on November 15, 2018, and confirmed by the Council for a term ending January 12, 2021. On July 8, 2021, Mr. Tignor was confirmed by the Council for a second term ending January 12, 2024.

INTRODUCTION

Derrick Colbert, a certified business management professional, is a strategic leader with a wealth of 25 years of experience in the business development, workforce development, and community economic development sectors. His extensive experience has been the cornerstone of providing growth strategies and solutions that enable business enterprises, workforce development organizations, and community economic development organizations to scale their market share, client retention, and social impact.

His prior government professional experience includes Associate and Director-level positions with the Executive Office of the DC Mayor, including the Workforce Investment Council, the Office of the Deputy Mayor for Greater Economic Opportunities, and the Office on Returning Citizens Affairs. In addition to a BS degree in Business Administration from Strayer University, Washington, DC, Derrick holds multiple Certifications, including Business Management Essentials, Continuous Improvement Management, Business Success and Leadership, and Project Management. His community and civic services experience ranges from being the Corresponding Secretary for the Fort Stanton Civic Association, Advisory Committee Member for the Kennedy Street Revitalization Task Force, and Former Vice Chairman for Advisory Neighborhood Commission 8C. Mr. Colbert was appointed by Mayor Muriel Bowser and confirmed by the DC Council on February 6, 2024, for a term ending January 12, 2026.



INTRODUCTION

MPD Reporting System

All use of force data used in this report was provided by MPD. For use of force reporting through 2017, officers completed hard copies of UFIRs and RIFs, and the information from those forms was then entered into the Personnel Performance Management System (PPMS) by the officer, their supervisor, or an administrator. Upon OPC's recommendation, in December 2017, MPD indicated they were beginning to capture all use of force data electronically. On January 2, 2018, MPD issued Executive Order 18-001, requiring that all UFIRs and RIFs be completed electronically in PPMS. The requirement that officers complete all UFIRs/RIFs electronically in MPD's Personnel Performance Management System (PPMS) added new data reporting capabilities in 2018.⁹

As of January 1, 2020, MPD's use of force reporting now consists of one format: Force Incident Report (FIR), the form officers complete following any use of force. Previously, MPD officers completed: (1) the Use of Force Incident Report forms¹⁰ (UFIRs, MPD form 901-e) and (2) the Reportable Incident Forms (RIFs, MPD form 901-g). RIFs were a less comprehensive form, which, according to MPD's General Order RAR 901.07 "Use of Force," are substituted for UFIRs for two particular types of force: (1) when an officer points a firearm at a subject but no other force is used and no injuries are sustained; or (2) when an officer uses a tactical takedown, no other force is used, and the subject is not injured and does not complain of pain or injury. As of January 1, 2020, all uses of force are reported in one form, the FIR. The information from the FIRs is stored in PPMS. PPMS is MPD's electronic database for tracking adverse incidents and personnel

performance, and is used for predictive analysis of officer performance, including misconduct or other at-risk behavior. PPMS is also used for performance evaluations and performance improvement plans.¹¹

July 2019 PPMS Enhancement

In July 2019 MPD updated its data collection, referred to as the July 2019 enhancement here, which improved the efficiency and accuracy of data collection and storage. Three of the improvements were directly related to use of force and are discussed below.

1. Many of the UFIRs/RIFs completed in 2018 were missing data in essential fields such as type of force used and level of subject behavior. To resolve this problem, OPC recommended that MPD make these essential fields on UFIRs/RIFs required fields in 2018.¹² According to MPD, 91 out of the 99 fields on UFIR/RIF became mandatory after the July 2019 enhancement.¹³ Without filling out the mandatory fields, officers would not be able to complete a UFIR/RIF. This change significantly improved MPD data collection process and the missing essential data.

2. According to MPD, prior to the July 2019 enhancement, if an officer had reported using different types of force on different subjects in one use of force incident, PPMS would indicate that

9: For more information regarding the 2018 changes see the 2019 Use of Force Report, available [here](#)

10: MPD does not require officers to complete FIRs for the lowest level of force, forcibly handcuffing a resistant subject, though some officers do complete these forms for such incidents

11: More information regarding PPMS is available [here](#)

12: See OPC's recommendation 5A in the 2018 Use of Force Report, available [here](#)

13: MPD provided OPC a list of fields on the post-July 2019 enhancement version of UFIR/RIF in May 2020, with the information regarding whether a field is a required field. The number 91 includes the fields that require an answer only when the previous question has a specific answer. For example, if the answer for the question regarding whether an officer is injured is "yes," the question regarding whether the officer is hospitalized becomes a required field. The non-required fields are all regarding subjects': name, address, social security number, phone, pre-existing injury/condition, ambulance number, medic number, and whether photos are taken

INTRODUCTION

the officer used all the types of force against all the subjects. For example, if an officer used three types of force against three subjects (e.g., an officer uses hand controls to subject A, ASP to subject B, and OC spray to subject C), the data in PPMS would show that the officer used all three types of force on all three subjects.¹⁴ This was a significant data inaccuracy and the July 2019 enhancement resolved this problem for newly entered data. If a use of force incident occurred after the July 2019 enhancement with an officer using the same three types of force against three subjects, PPMS would show that the officer used hand controls against the Subject A, ASP against Subject B, and OC spray against Subject C.

3. Three answer choices for the Specific Type of Force Used field within the UFIR form were added: (1) ASP-arm extraction, (2) canine bites(s), and (3) shield. OPC therefore incorporated these new types of force into the new use of force hierarchy. See Appendix B on page 56 for more discussion about the three types of force and the use of force hierarchy.

January 2020 Enhancement

On December 31, 2019, MPD issued Executive Order EO-19-009, “Force Incident Report.” The executive order stated its purpose was to “announce that effective January 1, 2020, the force incident report (FIR) shall replace the PD Form 901e [Use of Force Incident Report (UFIR)] and the PD Form 901g [Reportable Incident Form (RIF)] in the Personnel Performance Management System (PPMS).”

This enhancement required that the arrest information of the subject against whom force was used be automatically uploaded to the FIR. This information is extracted from the arrest report, which must be

completed by the officer prior to drafting the FIR. MPD also incorporated an “impairment” field where officers can report whether the subject was suspected to have been under the influence of drugs or alcohol or suffering from a mental health crisis. The watch commander is also required to report on the FIR whether the body-worn camera (BWC) was reviewed, who it was reviewed by, and if the use of force requires further investigation. Information available in the FIR includes:

- The time, date, and location of the incident;
- Officer and subject demographic information;
- The type of force used;
- The subject behavior during the use of force incident;
- Injuries to the officer(s) and/or subject(s);
- Whether the use of force resulted in property damage;
- Subject impairment;
- Subject weapons; and
- A narrative description of the incident.

See Appendix A on page 51 for the updated FIR after MPD’s January 2020 enhancement.

¹⁴: This example is provided by MPD as part of the 2019 use of force data explanatory notes in February 2020

INTRODUCTION

Data Collection and Scope

The scope of this report includes all types of uses of force involving MPD officers, all MPD divisions, and all MPD officer ranks. The data collection process for this report involved receiving three types of data from MPD: (1) PPMS data in an Excel spreadsheet, (2) FIRs in PDF form, and (3) the exported FIRs electronic data completed by officers in an Excel spreadsheet for closed use of force cases.¹⁵ Similar to last year, MPD exported the data from the electronically completed FIRs and provided that data to OPC. OPC did not need to manually enter the data from the FIR PDFs to create a consistent dataset.

OPC also conducted an audit of the FIR PDFs against the electronically exported data to ensure consistency. Specifically, OPC first randomly selected a quantitatively sufficient number of FIRs from the 2,169 FIR PDFs MPD provided to OPC.¹⁶ OPC then manually compared the randomly selected FIR PDF data to the PPMS spreadsheet.¹⁷ The audit of 125 FIRs showed data inconsistencies for the following fields:¹⁸

1. Subject's age and race not exported to the PPMS Excel sheet
2. Neck restraints in PPMS did not appear in the FIRs

When completing the 2022 UOF report OPC had many discussions with MPD regarding how they close their uses of force. OPC learned that MPD has a 90 day close out process for reviewing all uses of force for that year.

Therefore, March 31st of each year is when most uses of force for the previous year will be closed out. In order to optimize the data used, OPC has agreed going forward to wait until after March 31st of each year to receive the totality of the previous years, use of force data. In 2022, OPC received the totality of the UOF data on February 1, 2023. In 2023, OPC received the totality of the UOF data on April 19, 2024.

OPC ultimately received a FIR for 2,169¹⁹ reported uses of force, representing 94% of the total 2,312 reported uses of force in 2023. MPD did not provide OPC with PDFs for the remaining 35 reported uses of force. This percentage is lower than the 99% in 2022 and the 97% in 2021. OPC did not receive the PDFs for reported uses of force that are still considered open, pending investigation as of June 26, 2024. These open investigations represent 35 uses of force and 12 incidents. Nevertheless, OPC did receive the PPMS data for the 35 uses of force that were still open.

15: OPC only receives the PDFs and full PPMS data for closed use of force cases. Open cases are those that are still under investigation

16: OPC manually audited 125 FIRs

17: The PPMS data is extracted from the FIRs officers fill out after they use force

18: Not all FIRs had these inconsistencies

19: 2,169 FIR PDFs represent 1,130 use of force incidents

USE OF FORCE OVERVIEW

MPD's Definition of Use of Force

Police officers are given the authority to use physical force when appropriate. The type of force, and when it may be used, is governed by statutes, case law, departmental policy, and training. MPD defines the use of force as “any physical coercion used to affect, influence, or persuade an individual to comply with an order from a member.”²⁰ This includes any type of force from hand controls or forcibly handcuffing a noncompliant subject to deadly force, such as discharging a firearm.

MPD's use of force General Order²¹ explicitly states that MPD “members shall minimize the force that is used while protecting the lives of members and other persons” and “members shall attempt to defuse use of force situations with de-escalation techniques...” This General Order also includes the Use of Force Framework, comprised of four levels of subject behavior and four levels of officer response (see Subject Behavior Categories and MPD Officer Force Response Categories on page 15).²²

Although the Use of Force Framework provides guidance on the appropriate level of force to be used in a given situation, in 2002 MPD no longer encouraged the Use of Force Framework as a continuum of sequential behaviors and responses. Rather, the Use of Force Framework is fluid and officers are encouraged to de-escalate a scenario and constantly reassess what force is needed²³ and can be used within the officer's individual discretion during an incident. On April 27, 2023, MPD updated their Use of Force General Order to reflect the possibility of Use of Force indicating potential criminal conduct.²⁴

Use of Force Training

The Metropolitan Police Department asserts it utilizes a use of force framework which states in part that officers are to value and preserve the sanctity of human life at all times, especially when involved in a situation that requires any type of force. Therefore, MPD officers shall use the minimum amount of force to bring an incident or person under control while keeping the public and the officers

safe.²⁵ MPD's use of force training comprises numerous components including critical incident management, situational awareness, firearms training, de-escalation, scene management, and other topics.²⁶ MPD officers receive mandatory retraining every year to ensure officers are up to date on case law and policy updates. Every use of force is investigated thoroughly and impartially, with the Use of Force Review Board process informing academy training.

MPD states it operates under the fundamental expectation that use of force is only used proportionally to the threat faced and in a manner consistent with legal and agency policies. While many police academies teach use of force as a standalone block of instruction, MPD integrates these skills throughout the curriculum. The Metropolitan Police Academy (MPA) instills a police culture equipping officers with the skills they need to safely intervene before problems occur or escalate. Use of force training is woven into training topics in the context of safety and a means of last resort. For example, during training on how to handle calls regarding domestic violence, officers are primarily taught D.C. laws, civil rights, victims' rights, Constitutional law, and implicit bias. In this context, MPD teaches patrol tactics, pre-arrival, and on-scene tactical considerations all with the intention to reduce the need for the use of force. Training also encompasses emotional and mental health de-escalation techniques. In 2016, MPD changed the diagram of the use of force continuum from a triangle to a circular framework to visually highlight de-escalation.²⁷

At the MPA, Recruit Officers complete 80 hours of training in firearms. Because the majority of the recruits do not have prior experience with firearms, MPD's training curriculum is designed to provide sworn officers with the knowledge and skills necessary for safe, proper, and effective operation of police-issued equipment.

20: Metropolitan Police Department General Order RAR-901.07: “Use of Force.” Metropolitan Police Department; 28 March 2024. Available [here](#)

21: MPD General Order RAR-901.07 Use of Force Framework

22: In the most recent General Order there are only four levels of both subject behavior and officer response as they no longer include cooperative/compliant behavior and officers cooperative controls

23: This change was made in 2002

24: Available [here](#)

25: MPD's General Order RAR-901.07

26: MPD provided information regarding use of force training and certification on 9 July 2020

27: For the information about the circular framework, see MPD General Order Go-RAR-901.07

USE OF FORCE OVERVIEW

It is the policy of the MPD to provide basic law enforcement service training that includes extensive de-escalation training. Officers receive firearm training during the basic recruit training and are required to recertify in firearms twice a year. MPD teaches de-escalation in various forms: communication techniques, mental evaluation and assessment, victim and suspect emotional understanding, and sensitivity.

Firearms training at MPA also includes scenario and range simulation training which allows recruit officers to experience complex and nuanced scenarios that adapt in real time, responding to officers' actions. With scenarios reinforcing every facet of training, simulations teach officers to de-escalate themselves and the situation at every stage through presence, communication, tone of voice, judgement, and situational awareness. During scenario training, instructors again reinforce a culture of peer intervention wherein officers are encouraged to step in if they witness a situation escalating.

MPD aims to teach communication, service, and conflict resolution so that use of force is a last resort. MPD states that in the rare instances when use of force is necessary to protect human life, officers are taught to render medical attention as soon as the scene is safe. As part of this mandate, all officers are also certified in Tactical Emergency Casualty Care.²⁸

28: See the definition of Tactical Emergency Casualty Care [here](#)

Subject Behavior and Prescribed Force Response

Category of Perceived Threat

MPD Officer Force Response Categories

Passive Resister – Subject displays a low level of noncompliant, passive resistance. Noncompliance offers no physical or mechanical energy. Subject does not respond to the member's lawful requests or commands and may be argumentative.



Contact Controls – Low-level physical tactics to gain control and cooperation (examples include soft empty hand controls, leaning on a subject's legs to hold them down, and firm grip).

Active Resister – Subject is uncooperative and will not comply with member's requests or commands. Subject exhibits physical and mechanical defiance or behaves in such a way that causes the member to believe that subject may be armed with a weapon, including evasive movements to defeat member's attempt at control, including bracing, tensing, pushing, or verbally signaling an intention not to be held in custody, provided that the intent to resist has been clearly manifested.



Compliance Techniques – Actions that may induce pain or cause discomfort to the subject who is actively resisting until control is achieved, but will not generally cause an injury when used in accordance with department training and standards. Examples include oleoresin capsicum (OC) spray, wrist locks, takedowns, ASP baton arm extractions, use of an ASP baton to conduct a wrist lock, and use of a patrol shield to pin a subject down.

Threatening Assailant – Subject has gone beyond the level of simple non-cooperativeness, and is actively and aggressively assaulting (e.g., striking, kicking) the member, themselves, or others, or the threat of an aggressive assault is imminent. Subject has demonstrated a lack of concern for the member's safety; however, subject does not pose an imminent threat of death or serious bodily injury to member or others.



Defensive Tactics – All force options other than deadly force. Although a range of force options are generally available, members shall adhere to policy requirements governing the use of specific force options and less lethal weapons. Defensive tactics are employed to forcibly render the subject into submission; however, these actions are not likely nor designed to cause death or serious bodily injury. Defensive tactics are primarily used to ensure the safety of the member and others [examples include strikes, ASP baton strikes, use of a police mountain bike as an impact weapon, electronic control devices (ECDs), and 40mm extended impact weapons in accordance with department training and standards].

Active Assailant – Subject poses an imminent danger of death or serious bodily injury to member or another person (other than the subject). Subject's actions demonstrate subject's intent to inflict imminent death or serious bodily injury upon member or another person.



Deadly Force – All force options. Deadly force shall only be used if the member reasonably believes that deadly force is immediately necessary to protect the member or another person (other than the subject of the use of deadly force) from the threat of serious bodily injury or death, the member's actions are reasonable given the totality of the circumstances, and all other options have been exhausted or do not reasonably lend themselves to the circumstances (examples include the use of a firearm or a strike to the head with a hard object).

USE OF FORCE FINDINGS

Number of Uses of Force

There are three distinct ways to report the number of uses of force per year:

- The number of incidents in which officers used force per year;
- The number of uses of force per year, which includes all officers using force in all use of force incidents; and
- The total number of individual officers using force per year.

In 2023, there were 1,142²⁹ reported use of force incidents involving 2,312 reported uses of force by 1,017 officers. There are more uses of force than incidents or officers because many use of force incidents involve multiple officers using force and an officer may use force more than once per incident.³⁰

Use of Force Incidents

The number of reported use of force incidents increased considerably between 2016 and 2020, from 794 in 2016 to 968 in 2020. From 2016 to 2020, there was a 22% increase in use of force incidents. From 2020 to 2022 there was a 7% increase in the number of use of force incidents. As shown in the Use of Force Incidents chart on the next page, there were 1,142 use of force incidents in 2023 which is a 10% increase from the 1,034 incidents in 2022.³¹

Uses of Force

Similar to the trend of the increase in reported use of force incidents, the number of reported uses of force increased until 2018 and then started to decrease in 2019. In 2019, the number of reported uses of force decreased to 2,471, 14% less than 2018.³² The number continued to decrease in 2020 and 2021. The number of reported uses of force decreased by 19% from 2019 to 2020, and decreased by 6% from 2020 to 2021.

In 2021 there were 1,896 uses of force, however in 2022 there were 2,107 reported uses of force, which is an 11% increase from 2021.³³ In 2023 there were 2,312 uses of force, which was an 11% increase in uses of force from 2022.

Officers Using Force

A total of 1,017 MPD officers reported using force in 2023, which is roughly 25% of all MPD officers.³⁴ This is less than a 4% decrease in the number of officers using force from 2022, but a 60% increase from 2013, when a total of 636 officers reported using force. In 2018, MPD reported the highest number of officers who reported using force since 2013. Seventy-three percent of all officers who reported using force in 2023 reported doing so one or two times, while 16% of officers reported using force three or four times. Ten percent of officers who used force reported doing so five times or more in 2023. See chart Uses of Force Per Officer in 2023 on page 17. The reported use of force incidents involving only one officer was the largest use of force incident group, reflecting 47% of the total incidents in 2023. The percentage of incidents involving two officers in 2023 was 29%. Incidents involving three or more officers comprised 24% of all use of force incidents.

Officers Using Force on Duty, in Uniform

Ninety-nine percent of officers who reported using force did so while they were on duty, similar to the number of officers in 2022, 2021, and 2020. Comparably, 95% of officers who reported using force in 2023 did so while in full uniform, similar to 2022. Two percent of officers who reported using force in 2023 did so in plain clothes, less than 2% reported using force while in casual clothes, and less than 1% reported using force while not in uniform.

29: This section reports on all use of force incidents regardless of whether the case is still considered open. So this number includes the 12 open incidents

30: The uses of force discussed in this report only include those reported in all FIRs. In 2021 MPD still did not consider the pointing of a firearm to be a use of force, but OPC does report the pointing of a firearm as a use of force. On January 1, 2022 MPD revised its use of force general order to include pointing of a firearm as a use of force

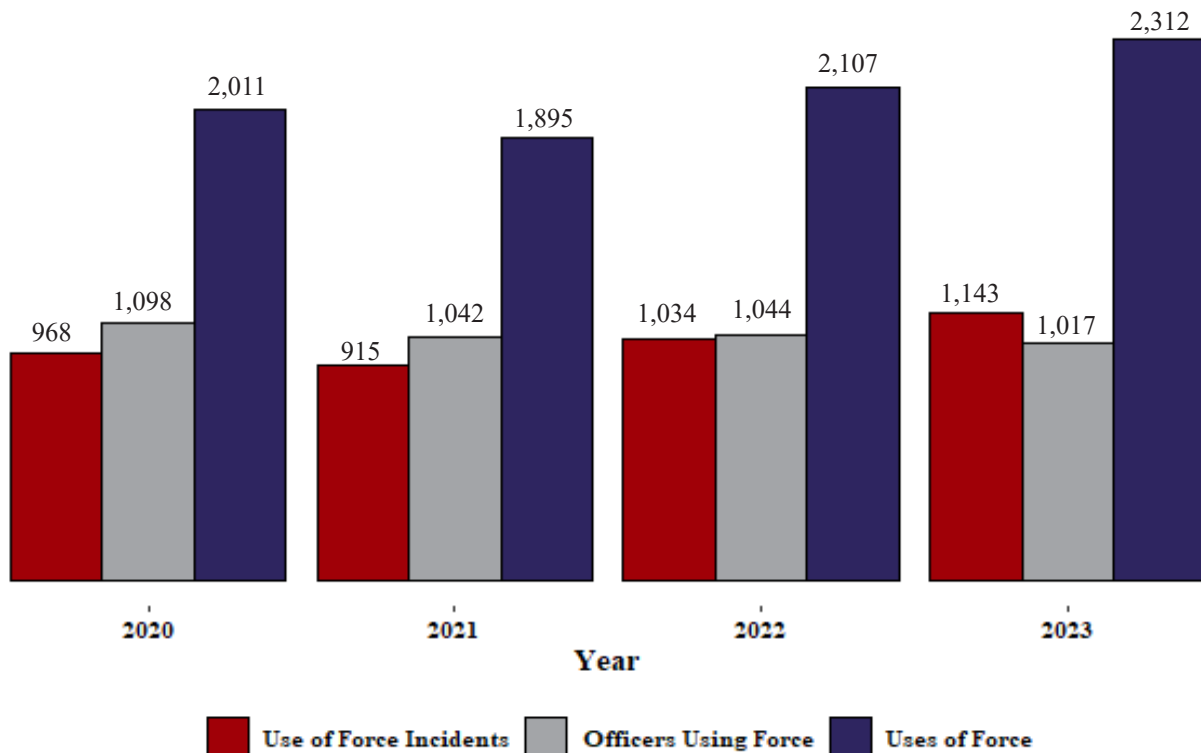
31: See "Report on Use of Force by the Washington, D.C. Metropolitan Police Department 2022," District of Columbia Officer of Police Complaints; 13 July 2023. Available [here](#)

32: "Report on Use of Force by the Washington, D.C. Metropolitan Police Department 2018", District of Columbia Officer of Police Complaints; 19 March 2020. Available [here](#)

33: Since 2020, OPC no longer includes officer misconduct and non-MPD personnel uses of force (i.e., special police officer) in their use of force estimates. These accounted for 9 uses of force in 2020

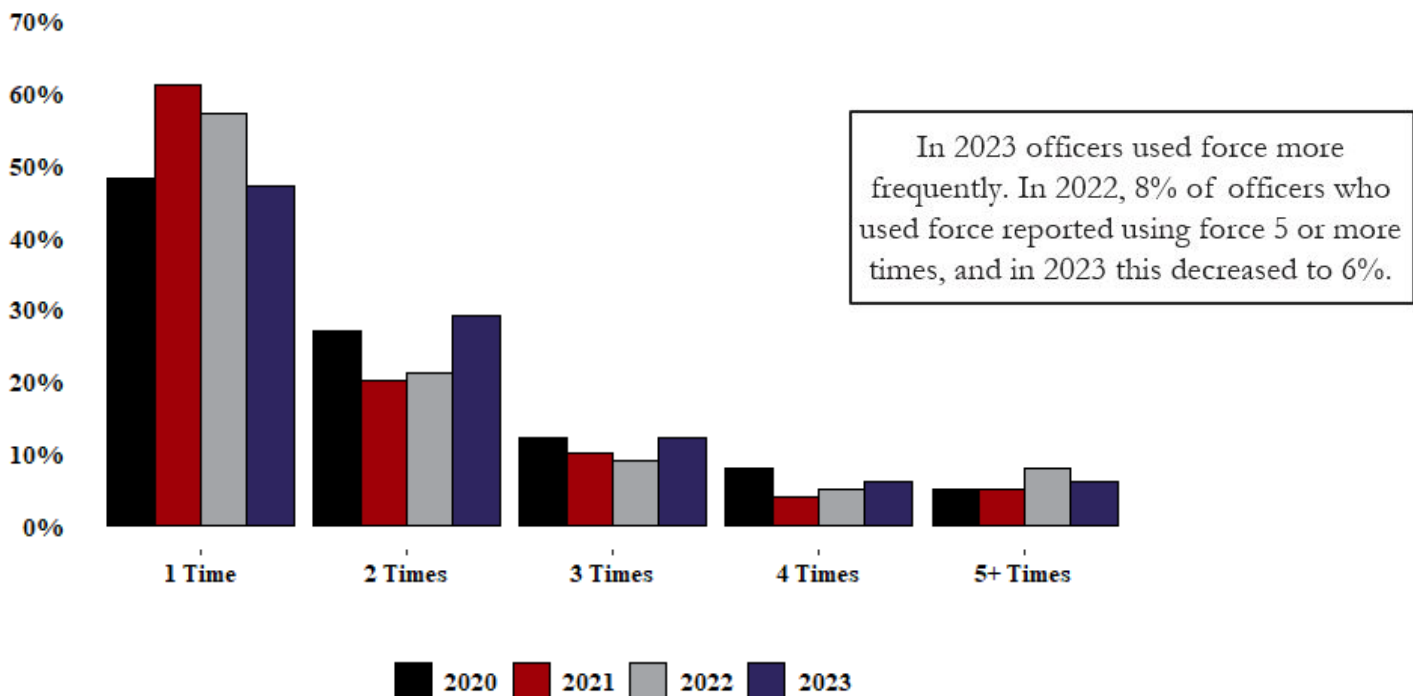
34: This number does not include the civilians employed by MPD

Number of Uses of Force



- Average 3.1 use of force incidents per day in 2023
- 10% Increase in uses of force in 2023
- 25% of MPD officers used force in 2023

Officers Using Force



USE OF FORCE FINDINGS

Subject Behavior in Force Incidents

For this report OPC refers to the four categories of subject and officer behavior as shown on page 15. Subject behavior is broken down into four categories:³⁵ passive resister; active resister; threatening assailant; and active assailant. Subject behavior can escalate and de-escalate over the course of a given encounter, and the highest level of subject behavior reported for each use of force is reported in this report. Officers’ responses are categorized in four levels that correspond to MPD’s four levels of subject behavior.³⁶ From FIR data, most subjects in 2023 were reported by MPD as being active resisters, accounting for 59% of subjects. The second most common subject behavior was threatening assailant, which accounted for 23% of subjects against whom officers reported using force in 2023.

Officers followed MPD’s prescribed level of force^{37, 38} in response to the subjects’ behavior in 66% of reported uses of force in 2023. MPD’s prescribed level of force is described in MPD’s Use of Force Framework, in General Order RAR-901.07, “Use of Force.” Officers used a lower level of force than prescribed in roughly 31% of the total reported uses of force in 2023.

Officers used a higher level of force than prescribed in 43 uses of force, or 2% of the total reported uses of force in 2023. Of the 43 instances of officers using a higher level of force than prescribed in 2023: 23 officers reported using hand controls, 10 officers reported using tactical takedowns, 1 officer reported using fist/knee strikes, 3 officers reported pointing their firearm,

2 reported using an ASP-strike, 2 officers reported using OC spray, and 2 officers reported firearm discharges, 1 officer reported a canine bite, and 1 officer reported using a 40mm extended impact weapon.

Officers Pointing Firearms at Subjects

MPD previously did not consider officers pointing their firearms at subjects a use of force, but now requires it be reported in a FIR. Officers reported pointing their firearms at subjects 447^{39, 40} times in 2023, a 12% increase over the 390 times officers reported pointing their firearms at subjects in 2022. Officers reported that 5% of subjects were cooperative/compliant. Of the reported uses of force involving officers who pointed their firearms at subjects in 2023, officers reported that 25% of subjects were passive resisters, 37% were active resisters, 17% were threatening assailants, and 21% were active assailants.

Armed Subjects in Uses of Force

Subjects were reportedly armed in 559 (24%) reported uses of force⁴¹ in 2023, a 12% increase from the 500⁴² armed subjects in reported uses of force in 2022. The most common type of weapon in 2023 was a firearm, which subjects were reported as possessing in 396 uses of force in 2023 (17%). Subjects were armed with knives in 79 reported uses of force (3%) in 2023, and with blunt weapons in 47 reported uses of force (2%). Subjects were armed with miscellaneous other weapons in 39 reported uses of force (2%) in 2023. These weapons included but were not limited to a BB gun, a brick, a screwdriver, and brass knuckles.

Officers pointed firearms at subjects in 19% of uses of force	In 2023 MPD did not specify where in the prescribed use of force framework pointing a firearm falls	Subjects were reportedly armed in 25% of use of force incidents in 2023
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35: In the most recent General Order MPD did not include the cooperative/compliant subject behavior and officer response. Metropolitan Police Department General Order RAR-901.07: “Use of Force.” Metropolitan Police Department; 28 March 2024. Available [here](#)

36: See page 15 for further discussion of the levels of subject behavior and officer response

37: Because there are still reported uses of force that are pending investigation, and MPD does not consider when the highest reported use of force was an officer pointing their firearm, OPC was only able to include 1,878 reported uses of force in this section

38: Because MPD does not specify where in the subject behavior and prescribed force response an officer pointing their firearm falls, it is not included in the table regarding the subjects’ behavior and the officers’ level of force

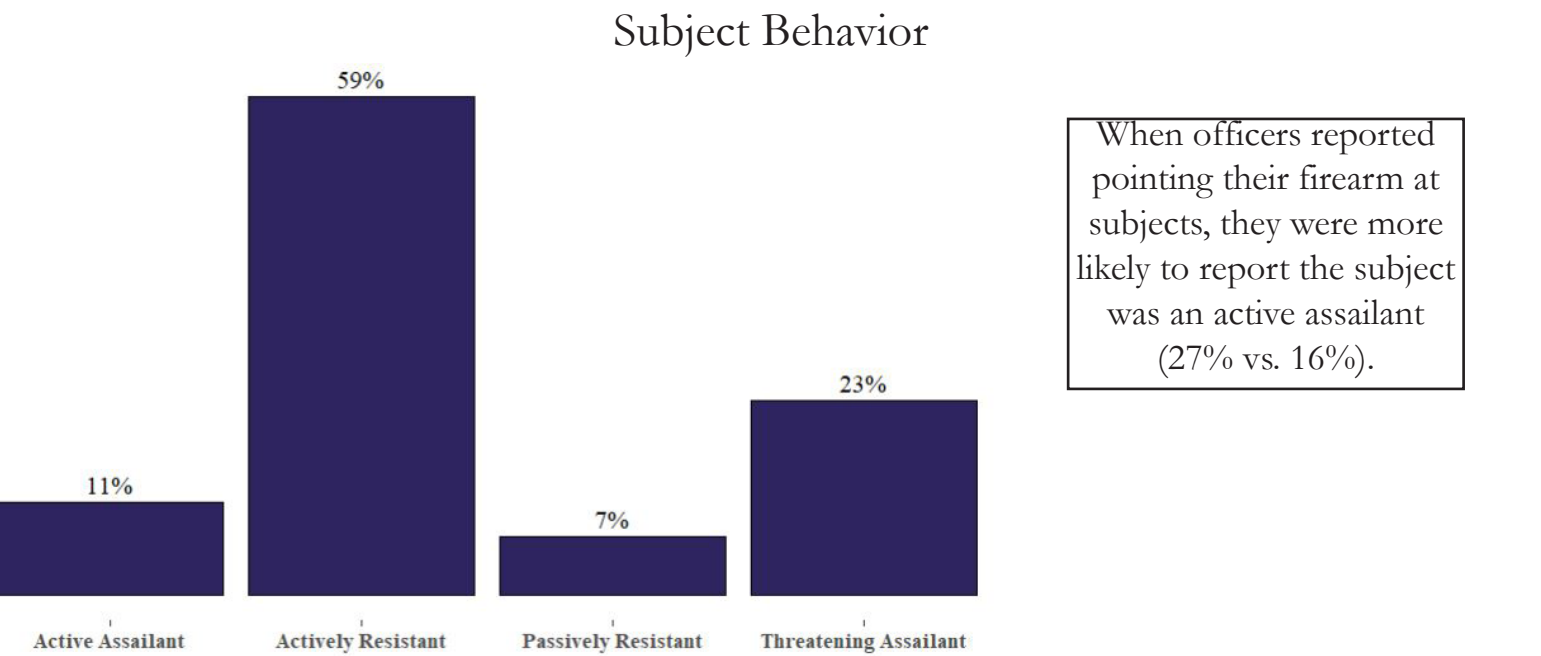
39: The number of instances of officers reportedly pointing their firearms only includes instances in which the pointing of a firearm was the highest level of force reported by the officer. This is because the data in this report are based on the highest level of force used in each use of force

40: Even with open cases, all officer force information is available to OPC so the total number of use of force incidents is 2,312 for this number

41: OPC did not have information regarding whether the subject was armed for the 12 uses of force. Therefore, the number of uses of force used for this calculation was 2,300

42: OPC did not include additional uses of force to the reported 500 in 2022 where a subject was armed

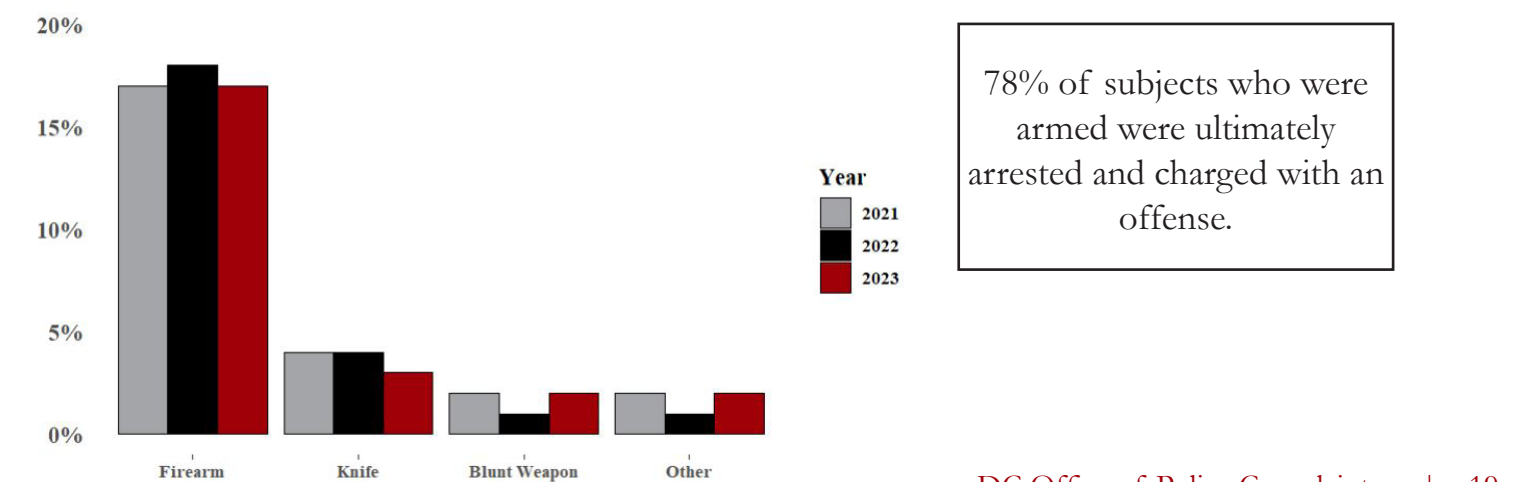
Subject Behavior and Level of Officer Force



Subject Behavior and Officer’s Level of Force

	Passive Resister	Active Resister	Threatening Assailant	Active Assailant
Contact Controls	<1%	<1%	<1%	---
Compliance Techniques	2%	64%	22%	7%
Defensive Tactics	<1%	<1%	2%	<1%
Deadly	--	--	<1%	<1%
Use of force was higher than the Use of Force Framework prescribed response: 2%		Use of force met the Use of Force Framework prescribed response: 66%		Use of force was lower than the Use of Force Framework prescribed response: 31%

Subject Weapons



USE OF FORCE FINDINGS

Types of Use of Force

Tactical takedowns were the most frequent type of force reported in 2023, accounting for 39% of uses of force. Control holds were the highest level of force used in 22% of reported uses of force.

The hierarchy of force⁴³ used in this report, from lowest to highest, is:

1. Control holds (including hand controls, firm grip, joint locks, pressure points, ASP controls, ASP-arm extraction, and handcuffing)
2. Tactical takedown
3. Firearm pointed
4. OC spray
5. Fist/knee strike, 40mm extended impact weapon (foam or sponge rounds), or shield
6. ASP strike, canine bite(s)
7. Taser/ECD
8. Firearm discharged

Firearms pointed at subjects were the highest level of force used in 20% of reported uses of force, while OC spray was the highest level of force used in 10% of reported uses of force in 2023. Fist or knee strikes/40mm extended impact weapons and shields were the highest level of force used in 3% of reported uses of force in 2023, and ASP strikes and canine bites were the highest level of force used in <1% of reported uses of force in 2023. Firearm discharges were the highest level of force used in <1% of reported uses of force in 2023. Tasers/ECDs were the highest level of force in roughly <1% of 2023 uses of force. Although all officers receive familiarity training with Tasers/ECDs, only sergeants are fully trained and equipped with Tasers/ECDs.

There were 12 intentional firearm discharge incidents involving 16 officers in 2023: 8 incidents involved firearm discharges at people and 4 involved firearm discharges at animals. These 12 firearm discharges account for <1% of reported uses of force in 2023, which is similar to 2022. For further discussion of the 2023 firearm discharge incidents, see page 31.

Rate of Injuries in Use of Force Incidents

Officers reported receiving injuries in 9% of reported uses of force in 2023. Subject injuries were reported in 44% of uses of force⁴⁴ reported in 2023.

The injury rates for the same type of force categories decreased from 2022 to 2023, except for the control holds category.⁴⁵ The following percent of incidents resulted in reported subject injuries or complaints of pain:

- 88% of control holds;
- 67% of firearm discharges;
- 52% of fist/knee strikes/40mm extended impact weapons;
- 33% of ASP strikes;
- 36% of OC spray uses; and
- 43% of tactical takedowns.

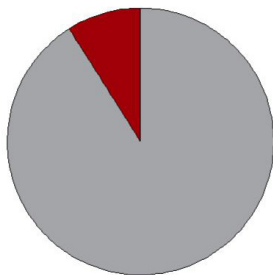
43: Not all cases had specific information regarding the specific use of force, therefore the number of uses of force used for this calculation was 2,389

44: Uses of force that are still considered open do not include information regarding officer or subject injury. Therefore, not all injuries from uses of force are included in the analysis

45: Reporting the injury rate by type of force used is complicated by a few factors. First, the injury rate reported here is based on the highest level of force used by each officer, but this may not be the type of force that caused the injury. Second, when multiple officers use force in a given incident, all of the officers may list an injury to the subject even if the injury resulted from only one of the officers' use of force. Third, the subject injury rate is based on complaint of injury by the subject rather than by officer or medical observation. Any subject, therefore, could claim injury or complain of pain, and it would be recorded as an injury. Despite these concerns, OPC determined that it was relevant to present the reported rate of injuries sustained based on each type of force used. Further, injuries are not known in open cases

Level of Force and Injury Rate

9% of 2023 uses of force resulted in a reported officer injury

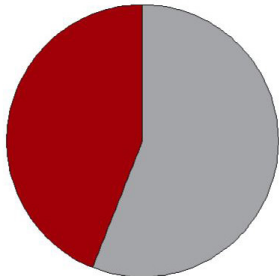


■ Injury ■ No Injury

1% of Uses of Force Required an Officer to be Transported to the Hospital



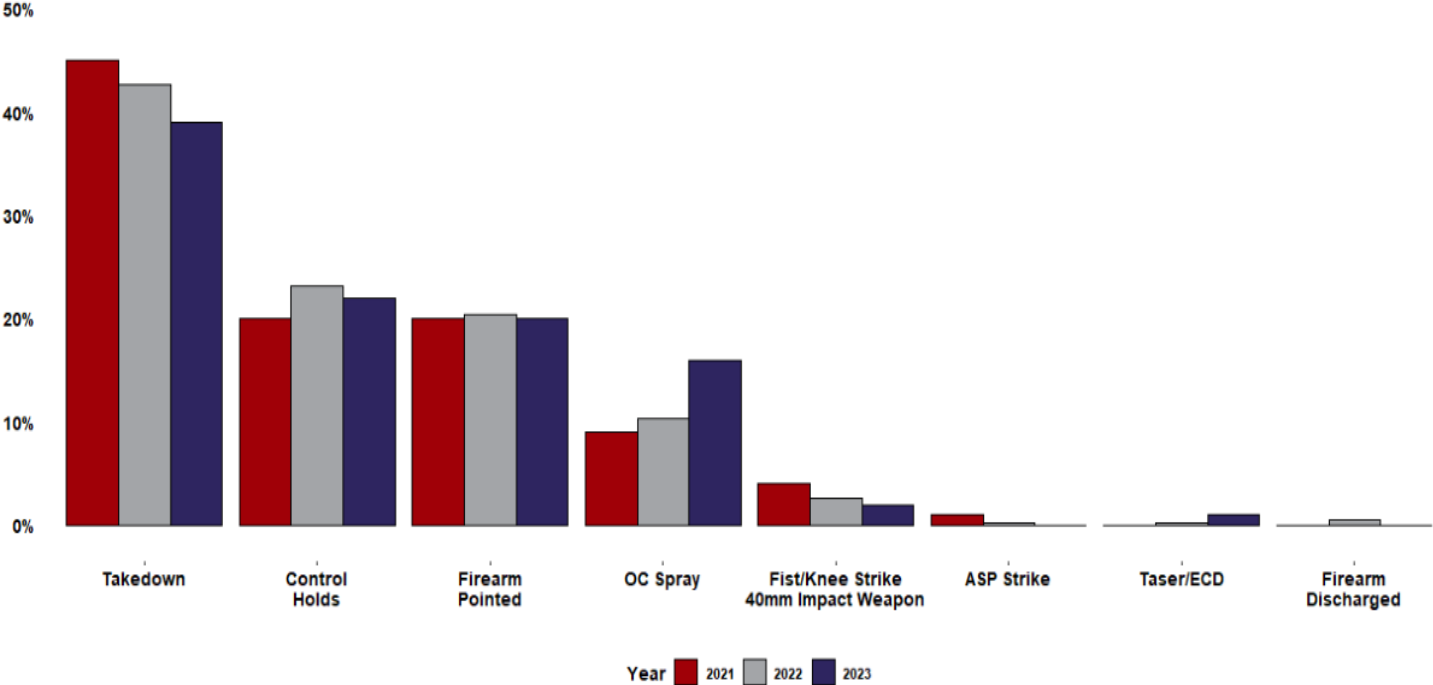
44% of 2023 uses of force resulted in a reported subject injury



■ Injury ■ No Injury

10% Percent of Subjects had Visible Injuries

Highest Level of Force Used in Each FIR



DEMOGRAPHICS

Demographics of Officers Using Force

A total of 1,017 MPD officers reported using force in 2023, with 51% of those officers using force in more than one incident. The demographics of officers who reported using force in 2023 were similar to the demographics of officers using force in 2022. In 2023, 45% of officers who reported using force were Black (same as 2022), 36% were White (same as 2022), 14% were Hispanic (same as 2022), and 5% were members of other races and ethnicities (6% in 2022). The demographics in 2023 were also similar to the demographics since 2014. In 2023, 85% of officers who reported using force were men and 15% were women, similar to the gender demographics of 2022.

Compared to the overall population of MPD officers,⁴⁶ White officers, male officers, and younger officers reported using force in a disproportionately higher number of times:

- 32% of MPD's officers are White, but White officers accounted for 36% of officers who reported using force in 2023;
- 76% of MPD's officers are male, but male officers accounted for 85% of officers who reported using force in 2023; and
- 35% of MPD's officers are under 35 years of age, but these officers accounted for 53% of officers who reported using force in 2023.

Black officers and female officers used force in a disproportionately lower number of times:

- 52% of MPD's officers are Black, but Black officers accounted for 45% of officers who reported using force in 2023; and
- 24% of MPD officers are female, but female officers accounted for 15% of officers who reported using force in 2023.

Demographics of Subjects of Force

Black community members made up 94% of the total subjects MPD reported using force against in 2023, while White community members made up 4% of the total subjects in 2023 and Hispanic community members made up 1% of the total subjects in 2023. Males were 81% of the total subjects MPD officers reported using force against in 2023, while females were 19% of the total subjects in 2023.

Community members in their late teens and early 30s were more likely to be the subjects of reported uses of force, with 53% of the subjects between 18 and 34 years old in 2023.

Compared to overall District demographics,⁴⁷ Black community members, male community members, and younger community members were the subjects of reported uses of force in a disproportionately higher number of incidents:

- 45% of District residents are Black, but Black community members were 94% of the total subjects MPD officers reported using force against in 2023;
- 48% of District residents are male, but males were 81% of the total subjects MPD reported using force against in 2023; and
- 50% of District residents are less than 35 years old, but community members in this age range accounted for 66% of the total subjects MPD used force against in 2023.

Officer and Subject Demographic Pairings

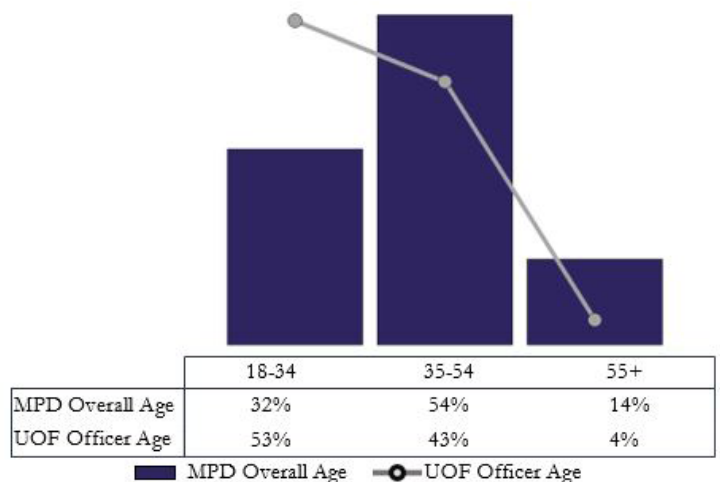
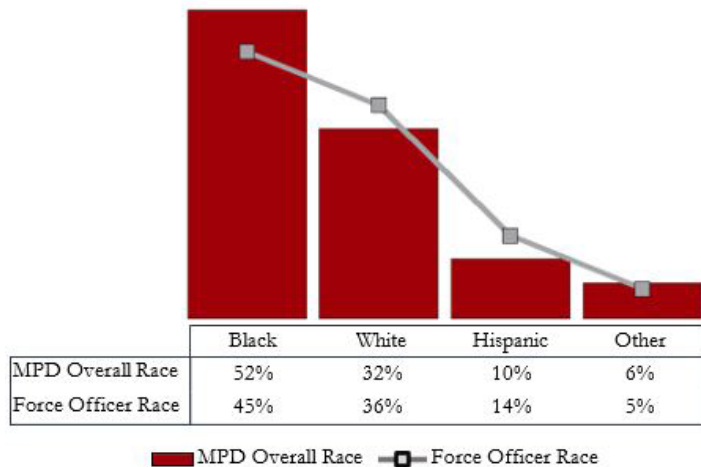
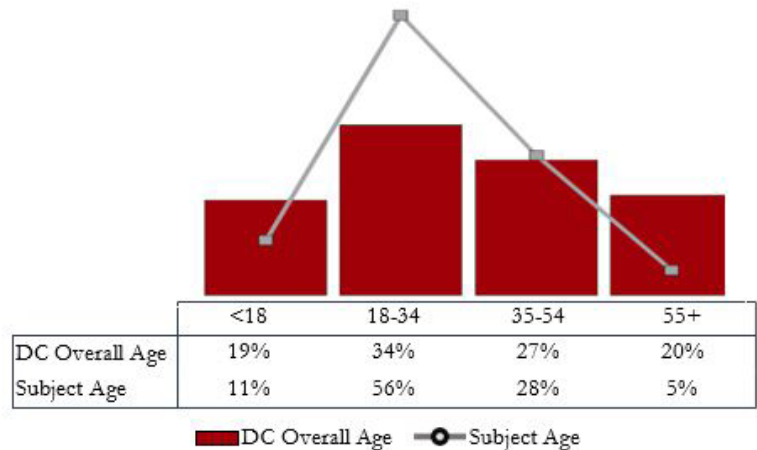
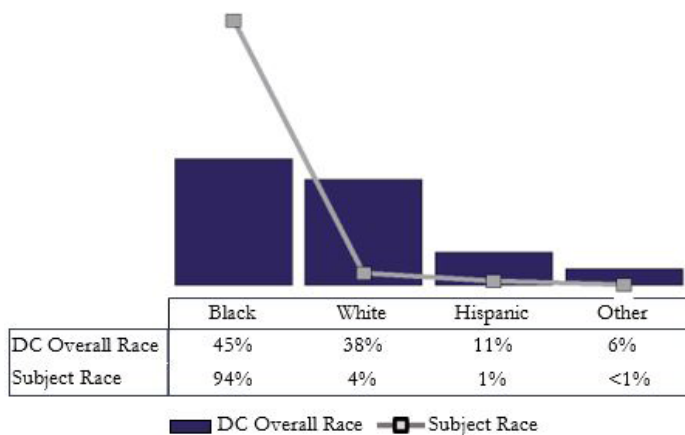
The most frequent officer-subject pairings were Black officers using force on Black subjects, which accounted for 39% of the total reported officer-subject pairings in 2023. Similarly, White officers using force on Black subjects accounted for 36% of reported officer-subject pairings in 2023, while Hispanic or officers of other races and ethnicities using force against Black subjects accounted for 19% of reported officer-subject pairings in 2023.

White officers used force against White subjects in 2% of reported officer-subject pairings in 2023 and Black officers used force against White subjects in 2% of reported officer-subject pairings in 2023. Hispanic officers or officers of other races and ethnicities used force against White subjects in 1% of reported officer-subject pairings in 2023 while Hispanic officers or officers of other races and ethnicities used force against Hispanic subjects or subjects of other races and ethnicities in 1% of reported officer-subject pairings in 2023.

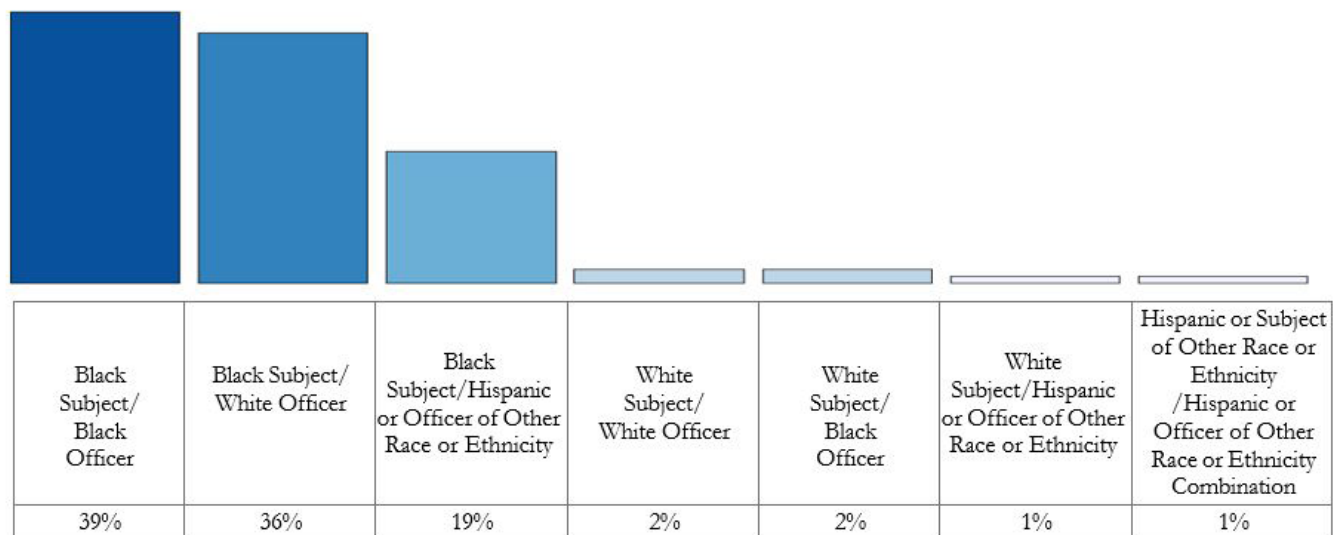
46: The number of 2023 MPD sworn officers is based on the December 2023 reports OPC received from MPD

47: D.C. demographics from the [Census](#) and [DC Health](#)

2023 Officer and Subject Demographics



Subject and Officer Demographic Pairings



CHARACTERISTICS OF OFFICERS AND SUBJECTS

Ranks of Officers Using Force

MPD officers are promoted through a series of 13 ranks. The ranks officers can achieve, in ascending order of seniority, are; probationer, officer, master patrol officer, detective 1, detective 2, detective 3, sergeant, lieutenant, captain, inspector, commander, assistant chief, and chief. MPD officers who reported using force were on average of lower ranks. Probationers and officers comprised 59% of MPD's sworn personnel, but accounted for 86% of the officers who reported using force in 2023. Probationers decreased from 10% of officers who reported using force in 2022, to 9% in 2023. In 2023, the number of officers who reported using force was 77%. Sergeants accounted for 6% of officers who reported using force in 2023. Master Patrol Officers, Detectives, and Lieutenants accounted for 5% of officers who reported using force in 2023.⁴⁸ Please see the graph on page 25 for more information.

Years of Service and Age of Officers Using Force

Officers who reported using force in 2023 were also on average younger and had fewer years of experience at MPD compared to the average age and years of service of officers for the districts to which they were assigned. Officers aged 33 had the highest percentage of uses of force (57 officers) out of all ages. The median age of officers who used force in each district was 34, with a minimum age of 21 and a maximum age of 63. In regard to years of service, officers with 4 years of experience reported the highest number of uses of force (105 officers). The median years of service per district was 6 years with a minimum of 0 and a maximum of 38.

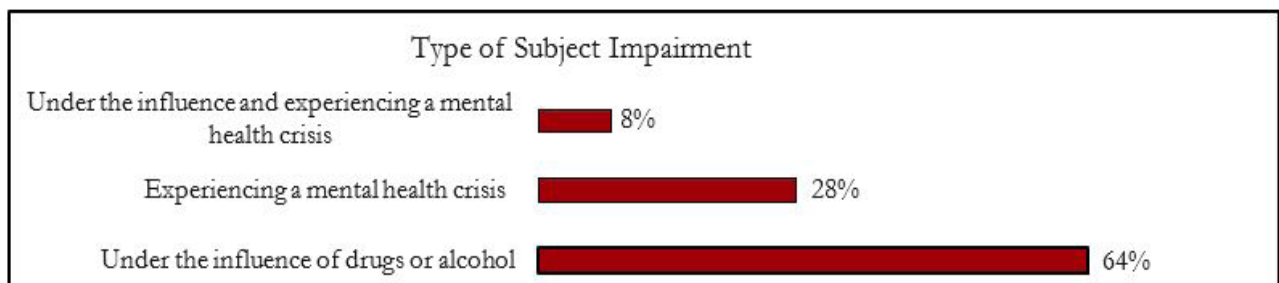
Subjects Impaired or Assaulting Officers

MPD officers record when subjects commit an assault on a police officer (APO). They also record when subjects are under the influence of drugs or alcohol, or are exhibiting signs of mental illness.⁴⁹

Officers reported that subjects assaulted officers in 248 use of force incidents, 22% of the total use of force incidents in 2023, a 9% decrease from 274⁵⁰ incidents with subject assaulting officers in 2022. Officers also reported that subjects appeared to be under the influence of drugs or alcohol or appeared to be exhibiting signs of mental illness in 314 incidents, 27% of the total use of force incidents in 2023. This is a 12% increase from the 276 use of incidents with subjects appearing to be under the influence of drugs or alcohol or exhibiting signs of mental illness in 2022.

In 159 of the 576 uses of force where officers were assaulted by a subject (28%), officers reported an APO by subjects who appeared to be under the influence of drugs or alcohol or who appeared to be exhibiting signs of mental illness.⁵¹

When officers encountered subjects they believed were under the influence of drugs or alcohol or exhibiting signs of mental illness, officers used hand controls and tactical takedowns, the two lowest levels of force, in 76% of those uses of force in 2023. Other types of force used in 2023 when a subject was impaired were pointing firearms (2%), OC spray (17%), and fist/knee strikes (4%).



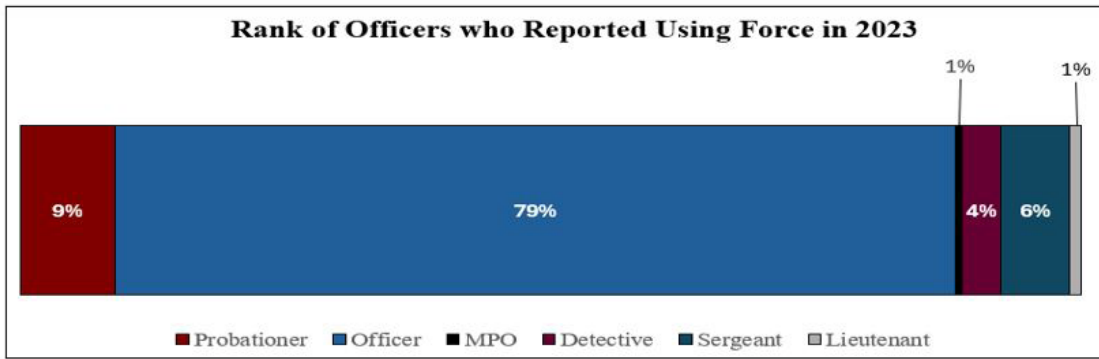
48: Please see the graph on page 25 regarding the ranks of officers using force

49: This section reports on 1,143 incidents.

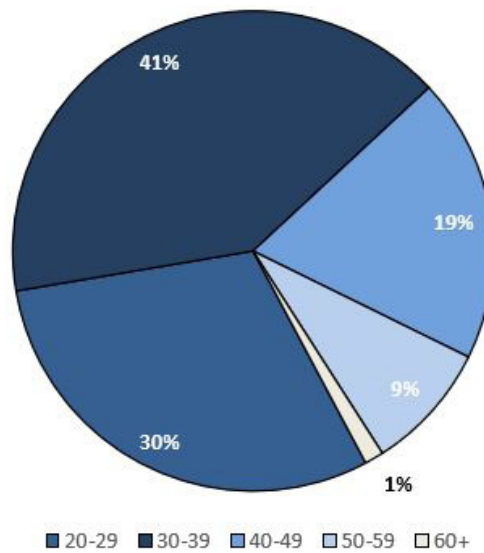
50: OPC did not include additional use of force incidents to the 274 reported incidents in 2022 where subjects were charged with APO because unlike previous years the officers have included this information in the reports.

51: In 2019, MPD made it mandatory for officers to report on the subjects' possible impairment

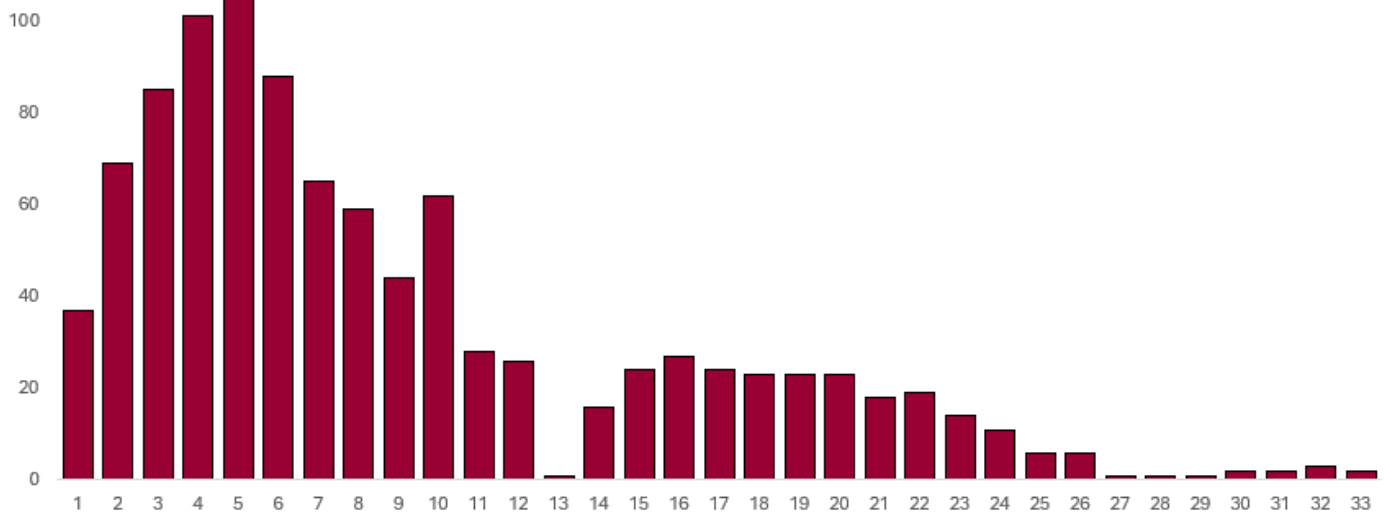
Officer Characteristics



Age Range of Officers Using Force in 2023



Years of Service for Officers Who Reported Using Force in 2023



USE OF FORCE BY DISTRICT

Overview

MPD divides D.C. into seven service districts, and has a number of special divisions, including the Harbor Patrol and Criminal Interdiction Unit.

The Third, Sixth, and Seventh Districts had the greatest proportion of reported use of force incidents in 2023. In 2017-2021 the Fifth, Sixth, and Seventh Districts had the greatest proportions.

The Third District includes neighborhoods such as Adams Morgan, Cardozo-Shaw, Columbia Heights, and Dupont Circle; the Sixth District covers the northeast half of the District that is east of the Anacostia and Potomac rivers; and the Seventh District covers the southeast half of the city east of the Anacostia and Potomac rivers.

The proportion of incidents occurring in the Third District was the third highest in 2023 with 15% of all incidents. The Sixth District had the second highest percentage of incidents in 2023 with 19%. The Seventh District had the highest percentage of incidents with 25%.

The Second District regularly has the lowest proportion of reported use of force incidents, 6% in 2023, followed by the First and Fourth Districts, with 8% and 12%, respectively, in 2023. The First District includes the National Mall, the downtown business district, and the Southwest Waterfront. The Second District covers the northwest section of the city, including neighborhoods such as Chevy Chase, Cleveland Park, Georgetown, and Foggy Bottom. The Fourth District covers the upper northwest portion of the District, including the Fort Totten, Takoma, and Petworth neighborhoods.

MPD further divides the seven districts into 57 Police Service Areas (PSAs), to which officers are assigned. The five PSAs with the most reported uses of force in 2023 were in the Third, Sixth, and Seventh Districts – PSAs 305, 603, 602, 704 and 706. Out of these five PSAs, 305, 603, 602, and 704 were also among the five PSAs with the most reported uses of force in 2023. The five PSAs with the most reported uses of force accounted for 23% of all uses of force in 2023 – more than one out of every five uses of force. This percentage is similar to 2022.

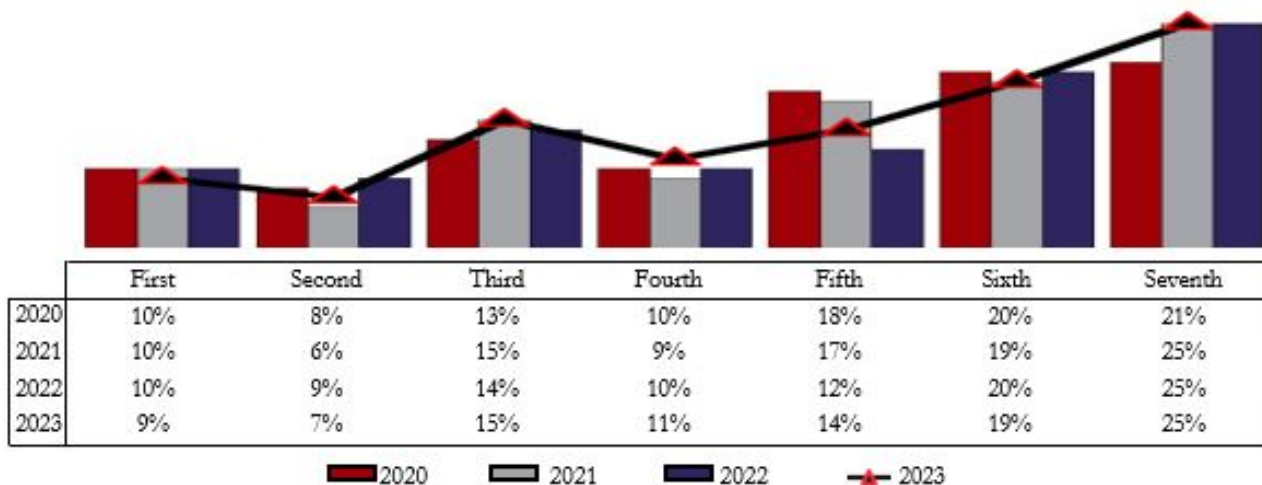
PSA 305: 63 use of force incidents

PSA 603: 49 use of force incidents

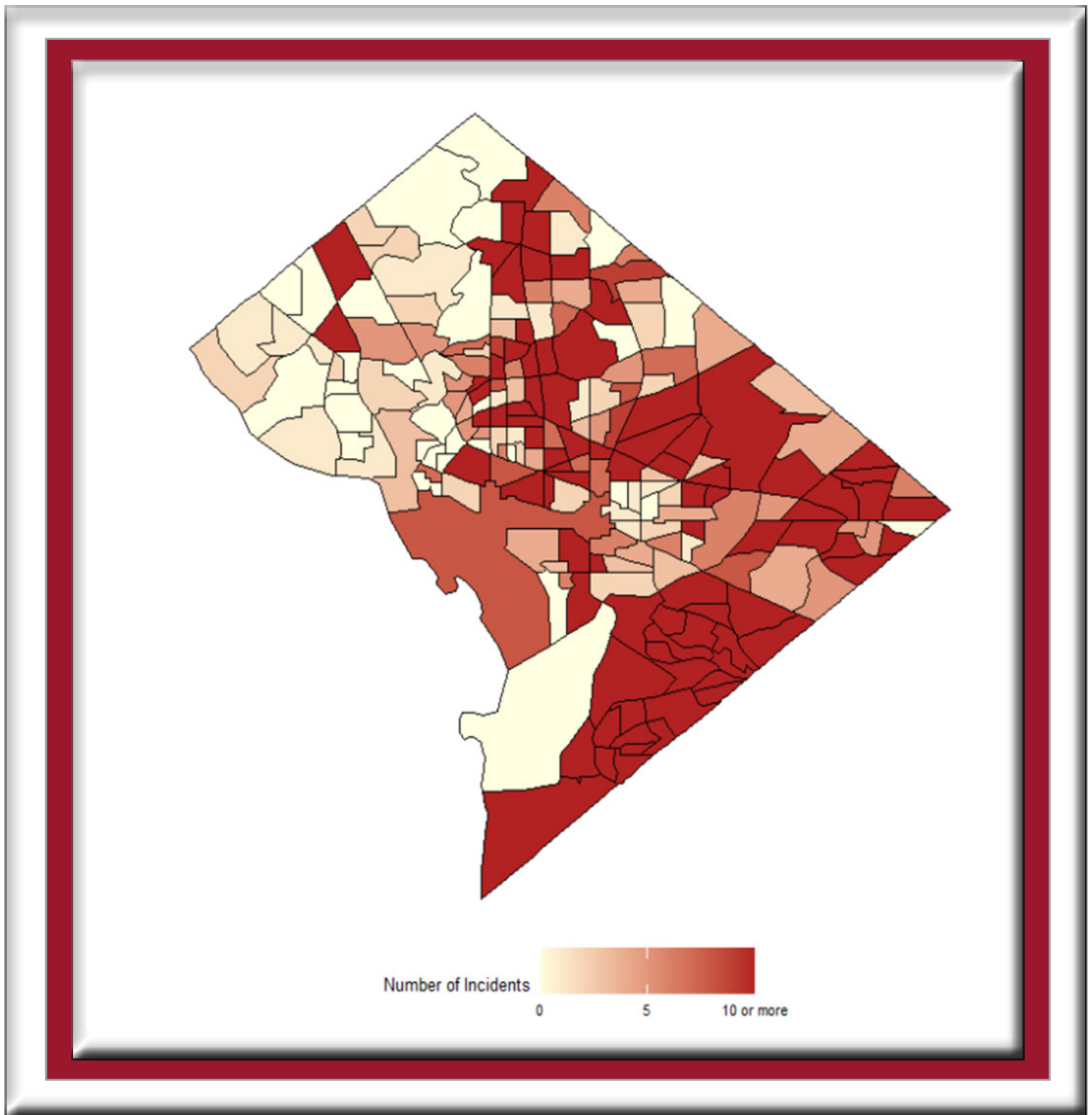
Sixth District: 202 use of force incidents

Seventh District: 287 use of force incidents

Use of Force Incidents by District



Where 2023 Use of Force Incidents Occurred



The above map depicts the locations of the use of force incidents in 2023. The dark red indicates the areas in DC where more than 10 use of force incidents have occurred. The lighter areas indicate whether the area has experienced less than 10 use of force incidents. As the map depicts, there are less use of force incidents in the northwest quadrant of the district compared to the southeast quadrant. There is also a cluster of use of force incidents in the Sixth and Seventh Districts.

2023 CENSUS TRACTS

Overview

In the 2023 Use of Force Report OPC included the census tracts where use of force incidents occurred. This section will discuss what census tracts are, as well as demographic information compiled from the census tracts.

Census tracts in the United States are geographic areas described by the Census as “small, relatively permanent statistical subdivisions of a county or statistically equivalent entity...” with the purpose being “to provide a stable set of geographic units for presentation of statistical data.”⁵²

For the purpose of this report, census tracts compile demographic data for the location where use of force incidents occurred. Specifically, census tracts were used to identify any potential racial and ethnic patterns in the geographic areas where force was used.

There are a few important factors to note regarding this data. First, not all use of force incidents in 2023 had addresses that were easily identifiable and therefore were not included in the analysis (3 incidents did not have an easily identifiable census tract). Additionally, when officers use force it is not always a static scene. Meaning, when multiple officers are using force in one incident they may be using force at different addresses. This can lead to an incident involving more than one census tract in which force was used. In this analysis the multiple census tracts in one use of force incident were included (7 use of force incidents had more than one census tract involved).

For comparison, in 2021 there were 26 incidents with an address that was not identifiable, and 60 incidents where multiple census tracts were used. In 2022 there were 4 incidents with an address that was not identifiable, and 19 incidents where multiple census tracts were used.

According to the U.S. Census Bureau, in 2020 D.C. had 206 census tracts throughout the district. In 2023 there was at least 1 use of force incident in 181 of the 206 census tracts. Therefore, 88% of all census tracts in D.C. had at least 1 use of force incident occur within its boundaries. In 2022 there was at least one use of force incident in 170, or 83%, of all the census tracts in the District.

In regard to the racial and ethnic make-up of the census tracts, it was found that 46% of all use of force incidents occurred in census tracts with a demographic make-up of 81-100% Black community members. Specifically, 27% occurred in census tracts with 81-90% Black residents and 30% occurred in census tracts that were 91-100% Black residents. This is the same as the 46% of all use of force incidents occurring in census tracts with 81-100% Black residents in 2022. Roughly 59% of 2023 use of force incidents occurred in census tracts that were 51-100% Black residents. The findings also illustrated that in 2023, 49% of Black subjects had force used against them in census tracts that were 81-100% Black residents. In 2022, this number was 50%, so there was a 1% decrease. These results illustrate how MPD is using force in predominately Black neighborhoods and against predominately Black community members.



52: For more information, please see this Census glossary [site](#).

SERIOUS USE OF FORCE INCIDENTS

Use of Force Review Board

MPD maintains a Use of Force Review Board (UFRB), which has existed since 1999. The purpose of the UFRB is to review all use of force investigations conducted by the Internal Affairs Division (IAD);⁵³ all firearm discharges at subjects, including animals; all vehicle pursuits resulting in a fatality; and any other chain of command investigations forwarded to the UFRB by the assistant chief or the Internal Affairs Bureau (IAB).⁵⁴ General Order RAR-901.07, which established the UFRB, mandates that the UFRB review certain types of force and vehicular pursuits, as described above.

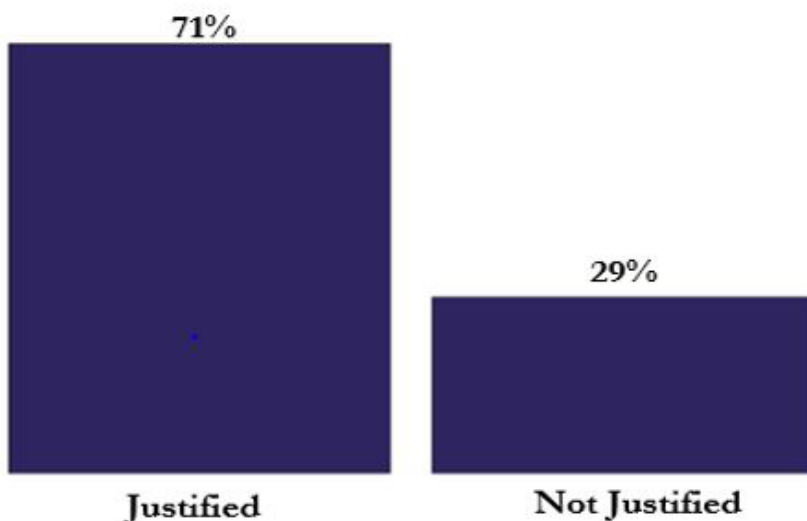
Originally, MPD's UFRB General Order required that the UFRB be composed of seven MPD officials – including an assistant chief, five commanding officials of various departments, and one commander or inspector – and two non-MPD members: OPC's executive director, and one member from the Fraternal Order of Police. Only the seven MPD members had voting power.

In July 2020, the D.C. Counsel passed emergency legislation that changed the composition of the board and the length of service for certain members. The UFRB now has 13 voting members. The new voting members include three civilian members appointed by the Mayor; 1) One who has personally experienced use of force by law enforcement; 2) One who is a

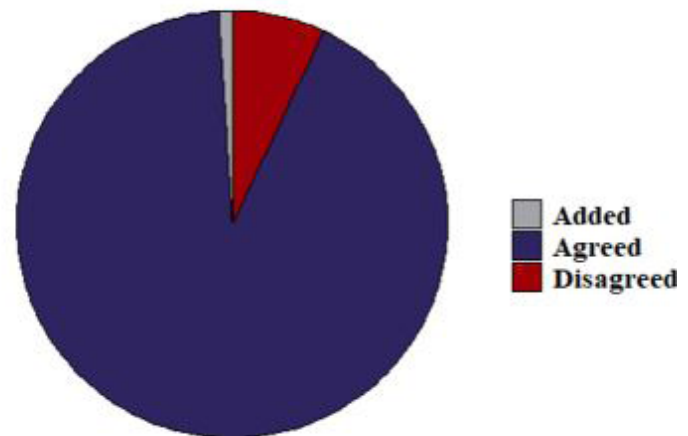
member of the D.C. Bar and is in good standing; and 3) One D.C. community member who is a resident. There are two additional civilian members appointed by the council: 1) One member with subject matter expertise in criminal justice policy; and 2) One member with subject matter expertise in law enforcement oversight and the use of force. These five civilian members must not have any current or previous affiliation to law enforcement. As of the date of this report, these civilian members have not yet been appointed to the UFRB board. The last additional voting member is the Executive Director of the Office of Police Complaints.⁵⁵ The Mayor also has the discretion to add non-voting members to the board.⁵⁶

The UFRB categorizes its reviews into different types of cases. These include serious uses of force, allegations of excessive force, vehicle pursuits, electronic control device (ECD) deployment, and neck restraints, among others. It also categorizes some instances as policy violations. The UFRB considers any violation of MPD's directives as a policy violation. In reviewing use of force investigations, the UFRB now has two primary considerations of whether the use of force was 1) justified or 2) not justified. If a policy violation or a tactical improvement opportunity is also identified, these are noted in the investigation and are independent of the justified or not justified finding. MPD vehicle pursuit determinations are now 1) the pursuit was within MPD policy or 2) the pursuit violated MPD policy.

2023 UFRB Use of Force Determinations



UFRB Decisions Compared to IAD



53: The IAD is a sub-unit of the IAB, and is responsible for handling complaints against MPD personnel and investigating lethal and nonlethal uses of force. The IAB also contains the Court Liaison Division and the Equal Employment Opportunity Investigations Division. Please visit this [site](#)

54: Metropolitan Police Department General Order RAR-901-07: "Use of Force." Metropolitan Police Department; 27 April 2023. Available [here](#)

55: The Executive Director of OPC has had UFRB voting powers since July 2020

56: Members without voting powers voice their opinions and they are documented if they disagree with the UFRB's decision

SERIOUS USE OF FORCE INCIDENTS

Most excessive force investigations are initiated by officers' supervisors, though some are initiated by a complaint. For allegations of excessive force or other misconduct, the UFRB determines whether the allegations are unfounded, sustained, exonerated, or whether there were insufficient facts to make a determination. For vehicle pursuits, the UFRB determines whether the pursuit was justified or not justified. The definitions for Use of Force and Excessive Use of Force disposition types are listed on page 29.

For each decision, the IAD investigator provides a recommended disposition, but the UFRB ultimately makes the final determination through a majority vote of the members. When the UFRB determines that the actions of an officer or officers did violate MPD policy, the case is referred to the director of the MPD Disciplinary Review Division, who then recommends the appropriate discipline to impose. Beyond reviewing individual cases, the UFRB may also make recommendations to the Chief of Police regarding use of force protocols, use of force investigation standards, and other policy and procedure revisions.

The UFRB convened 22 times and issued 216 determinations in 2023; compared to 16 meetings

issuing 228 determinations in 2022, a 5% decrease in determinations. The decrease in determinations is likely due to the decrease in number of protest related force incidents in the District. In 2021, there were 281 determinations made directly involving MPD's Civil Disturbance Unit, which is deployed during protests. But in 2022 and 2023, there were 0 determinations involving MPD's Civil Disturbance Unit.

The 216 determinations in 2023 involved a total of 103 different officers. Of the 216 determinations:

- 202 (94%) were regarding uses of force;
- 7 (3%) were regarding allegations of excessive force; and
- 7 (3%) were for policy violations, all of which were sustained.

Seventy-one percent of the use of force determinations in 2023 were considered Justified, while 29% were considered Not Justified. The UFRB determined that officers' actions in 19 of the 216 uses of force (9%) had Insufficient Facts and 12 of the uses of force (6%) were Unfounded.

The UFRB concurred with the recommendations of the IAD investigator in 89% of the 216 determinations in 2023. In 8% of cases, the UFRB did not concur with the IAD's recommendations. The other 3% of allegations were not proposed by the IAD investigator but added by the UFRB.

Use of Force Determinations

- **Justified:** A use of force is determined to be justified, and during the course of the incident the officer did not violate an MPD policy.
- **Not Justified:** A use of force is determined to be not justified, and during the course of the incident the officer violated an MPD policy.

Independent Determinations

- **Policy Violations:** Are determined and addressed separately from the determinations of justified and not justified.
- **Tactical Improvement:** If the department identifies a need for additional training, the investigator recommends that the member be re-trained at the academy which is documented in the investigation.

Excessive Force and Other Misconduct Determinations

- **Unfounded:** The investigation determined there are no facts to support the assertion that the incident complained of actually occurred.
- **Sustained:** The investigation determined that the allegation is supported by a preponderance of the evidence to determine that the incident occurred, and the actions of the officer were improper.
- **Insufficient Facts:** The investigation determined there are insufficient facts to decide whether the alleged misconduct occurred.
- **Exonerated:** The investigation determined that a preponderance of the evidence showed that the alleged conduct did occur, but did not violate MPD policies, procedures, or training.

OFFICER-INVOLVED FIREARM DISCHARGES

Overview

The highest level of force an officer can use is discharging their firearm. The summaries and data analysis in this section may help the community understand the circumstances of an officer-involved firearm discharge in a more transparent detailed context than provided to the public via media outlets. Tracking the specific circumstances of how, when, where, and why officers discharge their firearms is an important tool for any police department and the community they serve.

Data in this section is another opportunity for this report to increase community trust in the Metropolitan Police Department and allows MPD to better ensure that deadly force is the only appropriate and necessary option in every instance that it is utilized. All the information regarding firearm discharges in this report was provided by the UFRB and MPD.

In 2023, 16 MPD officers intentionally discharged their firearms in 12 incidents – 8 incidents at people and 4 incidents at animals. The number of officer-involved firearm discharge incidents at people decreased from fifteen in 2015 to three in 2018. The number of incidents increased to eight in 2019 and then to nine in 2020. In 2021, that number increased to 20. In 2022, the number of officer involved in

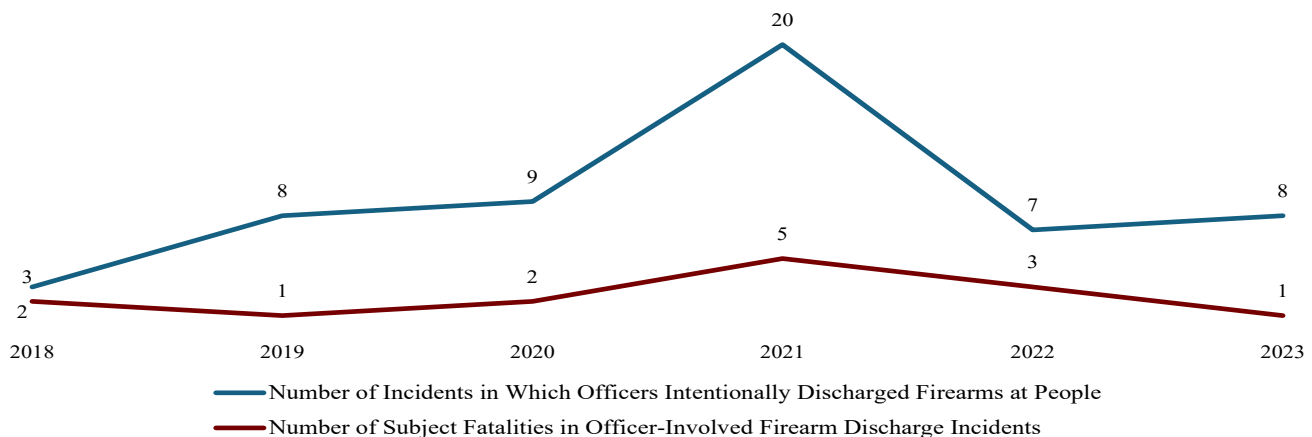
firearm discharge incidents at people decreased to 7 and increased to 8 in 2023.

Out of all the eight reported officer firearm discharge incidents⁵⁷ at people in 2023, one took place in the Second District, one took place in the Third District, one took place in the Fourth District, one took place in the Fifth District, and four took place in the Seventh District. All eight of the subjects fired at were Black, and all were male subjects.

Fatal Officer-Involved Firearm Discharges

The eight incidents in which officers discharged their firearms at people in 2023 involved 12 officers in total discharging their firearms. One of the subjects at whom officers discharged their firearms in 2023 was fatally injured. The one subject pointed a weapon at two MPD officers and discharged the weapon at the officers. Between 2014 and 2020, MPD officer-involved firearm discharges resulted in one to four reported fatalities each year. 2019 was the year with the lowest subject fatality caused by MPD officer firearm discharges since 2014. In 2022, there were three fatal MPD shootings, and this number decreased to one in 2023.

Officer-Involved Shooting Statistics



57: This report will not release the names of officers involved in shooting incidents. While D.C. Act 23-336, requires the Mayor to “publicly release the names and body-worn camera recordings of all officers who committed the officer-involved death or serious use of force,” this power and responsibility is vested specifically with the Mayor, not OPC. Further, this section of D.C. Act 23-336 is currently involved in pending litigation, see this [site](#)

OFFICER-INVOLVED FIREARM DISCHARGES

Non-Fatal Officer-Involved Firearm Discharges

MPD officers discharged their firearms and caused subjects' non-fatal injuries in three incidents in 2023. In one incident, officers reported that they believed the subject was reaching for a firearm. In the other two incidents, the officers reported the subject pointed a firearm at the officers. Between three and five people were non-fatally injured in officer-involved firearm discharge incidents per year from 2014 to 2017. In 2018, there were no non-fatal officer-involved firearm discharges; all firearm discharges by officers were either fatal or missed the subject. In 2019 and 2020, MPD officers discharged their firearms and caused subjects non-fatal injuries in four incidents. In 2022 there were two and in 2023, there were three.

Negligent Firearm Discharges

There were no negligent firearm discharges reported by MPD officers in 2023.

Officer-Involved Firearm Discharges at Animals

Four officers discharged firearms at four dogs in four incidents in 2023. In calendar years 2012 through 2023, MPD reported that officers discharged their weapons at animals in 1 to 18 incidents per year.

Subject Behavior in Officer-Involved Firearm Discharges

MPD officers report the level of subject behavior in four categories: passive resister; active resister; threatening assailant; and active assailant (see page 15 for definitions and further description of these categories). Sixteen MPD officers discharged their service weapons at human or animal subjects in 12 incidents in 2023. OPC received FIRs for all of these 12 incidents. Eight FIRs documented officer-involved firearm discharges at human subjects, and 4 involved dogs. In 7 of the 8 incidents of firearm discharges at people, the officers reported that the subjects were active assailants. In one of the incidents the subject was reported as a threatening assailant.⁵⁸ In the officer-involved firearm discharges at animals, all four dogs were reported as active assailants.

Type	District	# Officers	Officer Injuries	Subject Gender	Subject Race	Threat
Fatal*	7D	2	None	Male	Black	Pointed weapon at officer
Non-Fatal Injury	7D	1	Pain to thumb and wrist	Male	Black	Officer believed subject was reaching for a weapon
Non-Fatal Injury	4D	1	None	Male	Black	Pointed weapon at officer
Non-Fatal Injury	2D	1	None	Male	Black	Pointed weapon at officer
Missed*	7D	2	Dislocated shoulder, lacerations to left hand and left knee	Male	Black	Pointed weapon at officer
Missed	3D	2	None	Male	Black	Discharged weapon at officer
Missed	5D	1	None	Male	Black	Discharged weapon at officer

58: In this incident the officer discharging their firearm would be considered a disproportionate response to the subject's level of resistance. See the table on page 19

Missed	7D	3	One officer had suffered a broken shoulder	Male	Black	Discharged weapon at officer
Missed	1D	1	None	Male	Black	Pointed and discharged weapon at officer

* Reported from the same incident

OFFICER-INVOLVED FIREARM DISCHARGES AT HUMAN SUBJECTS

Overview

In 2023, MPD provided more detailed information regarding firearm discharges at human subjects. Specifically, MPD provided this additional information: 1) number of rounds discharged; 2) number of rounds that struck the subject; 3) the number of rounds that missed the subject; 4) distance at which the rounds were fired; and 5) other information relevant to the rounds that were discharged. This information was provided in addition to the demographics of the officers and subjects, location of the incident, member injury, subject weapon, subject threat, and UFRB findings. What follows in this section is the discussion of the data MPD provided.

A total of 47 rounds were discharged by 12 officers at 8 human subjects. Ten of these rounds were determined to have struck a subject, while 34 missed and it is unknown if three were missed or if they had struck the subject. This translates to a 28% completion rate.

The median number of shots fired at a human subject was 4, with a minimum of 1 and a maximum of 9. Furthermore, the average distance that officers were shooting from was 40 feet. The minimum distance was less than one foot away, while the maximum was 111 feet. In all but one of the intentional firearm discharge incidents at humans, the subject was either armed with a firearm or pointed a firearm at an MPD officer.

In regard to the fatal firearm discharges, the average distance that the officer fired from was 50 feet. This is in comparison to 9 feet in non-fatal injury discharges and 51 feet in missed discharges. As such, with this limited data it appears as if fatal discharges in 2023 were more likely to occur when the officer was further from the subject. Similar in 2022, the data suggested fatal firearm discharges were more likely to occur when the officer was further from the subject. In fatal firearm discharges there was an average of 5 discharges, while for non-fatal injury firearm discharges the average was 3 discharges. For those discharges that missed, on average, officers fired 4 shots.

In 2023, MPD provided the positioning of the officer when they discharged their firearm. Six officers were either walking or running behind the subject when they discharged their firearm.

One officer took cover after being shot by a subject. Four officers were either walking or standing while they discharged their firearm. There appeared to be many differences in regard to the officer's position and whether the shooting was fatal, non-fatal, or missed.

All twelve MPD personnel who fired a weapon at human subjects were officers. Therefore, in 2023, officers were the most likely to be involved in a firearm discharge. Additionally, 9 years on the force was the average for officers who discharged their firearm at a human subject while the average age was 37 years old. Eleven of the officers who discharged their firearm at a human subject were male, and one was female. Five of the officers were Black, five were White, and two were Hispanic.

OFFICER-INVOLVED FIREARM DISCHARGES - 2022 UPDATE

2022 Summary of Officer-Involved Firearm Discharge Incidents Updates⁵⁹

- On February 26, 2022, at the 400 block of Oakwood Street, SE, officers responded to reports that a person had been shot. Once the officers arrived, they observed the individual who had been shot lying on the sidewalk. They also observed an individual lying in the middle of the street with a gun in their hand. Officers commanded the subject to drop the weapon numerous times. The subject pointed their firearm at the officers. The officers and the subject then exchanged gunfire, which resulted in the subject sustaining a non-fatal gunshot wound. The UFRB concurred with IAD's recommendation that 19 of the firearm discharges were *Justified*, and one was *Not Justified*.
- On April 23, 2022, at the 800 Block of Crittenden Street, NW, officers responded to reports of gunshots. Upon arrival they observed the subject pounding on the door of a residence and they were in possession of a firearm. Officers gave the subject numerous commands to drop the weapon, but the subject did not comply. The subject then pointed their firearm at the officers, and an officer fired two shots at the subject, who was fatally injured. The UFRB concurred with IAD's recommendation that both of the firearm discharges were *Justified*.
- On May 9, 2022, at the 700 block of 18th Street, NE, officers conducted a traffic stop and the passenger in the vehicle fled on foot and was observed to be in possession of a firearm. An officer then conducted a foot chase and gave the subject numerous commands to drop their weapon. The subject did not comply and pointed their firearm at the officer. The officer then discharged their firearm twice, missing the subject. The UFRB concurred with IAD's recommendation that the firearm discharges were *Justified*.
- On July 16, 2022, at the 800 block of Wharf Street, NW, an off-duty and plain-clothed officer observed the subject point their firearm at another individual. The off-duty officer gave the subject commands to drop their weapon but they did not comply. The off-duty officer then discharged their weapon, fatally striking the subject. The UFRB concurred with IAD's recommendation that the firearm discharge was *Justified*.
- On July 30, 2022, at the 200 block of Madison Street, NW, officers responded to reports of a shooting on the intersection of Georgia Avenue and Longfellow Street, NW. During their preliminary response, the officers were alerted to a subject with a firearm getting into a vehicle. The subject fled in the vehicle and an officer pursued it. The vehicle became disabled at the 200 block of Madison Street, NW, and the subject fled from the vehicle with a firearm. The officer then discharged their firearm, fatally striking the subject. The UFRB concurred with IAD's recommendation that the firearm discharge was *Justified*.
- On August 12, 2022, at the 1900 block of Mississippi Avenue, SE, officers responded to a domestic violence call, where the victim was assaulted by a subject with a firearm. The officers were able to locate the subject based on the description the victim provided. The subject fled from the officers and a chase ensued. An officer observed the fleeing subject in possession of a firearm and gave numerous commands for the subject to drop their weapon. The subject did not comply and the officer then discharged their firearm, non-fatally striking the subject. Again, the officer commanded the subject to drop their weapon and the subject still did not comply. The officer discharged their firearm a second time, non-fatally striking the subject once again. The subject then threw the firearm into the wooded area near them. Officers then apprehended the subject, who was transported to the hospital for medical treatment. The UFRB concurred with IAD's recommendation that the second firearm discharge was *Justified* but found the first firearm discharge to be *Not Justified*.
- On August 25, 2022, at the 3600 block of 6th Street, SE, officers responded to reports of a person with a firearm who had robbed a victim at gunpoint, shot at an occupied passing vehicle, and carjacked a nearby vehicle. Once officers observed the subject, they gave numerous commands to drop the firearm. The subject did not comply and proceeded to point their firearm at an officer, and gunfire was exchanged. Additional officers then arrived on scene and were able to place the subject under arrest. The UFRB concurred with IAD's recommendation that the firearm discharges were *Justified*.

59: The summaries regarding officer-involved firearm discharges are based on FIRs, UFRB hearing Decision Action Sheets and the MPD shooting list

2023 OFFICER-INVOLVED FIREARM DISCHARGES

2023 Summary of Officer-Involved Firearm Discharge Incidents

- On February 10, 2023, at the 1300 block of Good Hope Road, SE, the officer responded to a call that the subject was assaulting another individual with a weapon. The officer attempted to stop the subject from harming the other individual any further. The officer stated that they saw the subject with a handgun, but it was not seen on the BWC footage. The officer discharged their firearm once, striking the subject. The handgun was never recovered or found. The UFRB concurred with IAD's recommendation that the firearm discharge was *Not Justified*.
- On February 28, 2023, at the 1400 block of Park Road, NW, officers responded to reports of gunshots. Once the officers arrived, they were notified by a shopkeeper that the subject was discharging their firearm towards others. Officers were able to locate the subject and verbally instructed the subject to stop walking. The subject refused and began discharging their weapon at the officers. One officer discharged their weapon four times, and another officer discharged their firearm one time as the subject fled the scene. The UFRB concurred with IAD's recommendation that all five firearm discharges were *Justified*.
- On March 4, 2023, at the 400 block of Mellon Street, SE, officers responded to reports of gunshots. Upon arrival, officers were able to locate shell casings in an alley and determined it was a crime scene. One of the officers ran the tag of a vehicle parked near the alley. As they approached the police cruiser, more gunshots were heard from a nearby alley. The officer ran into the alley to assess any damages and to locate the subject discharging the weapon. The gunshots began again, and the officer, an off-duty and plain-clothed officer, observed the subject point their firearm at another individual. The UFRB concurred with IAD's recommendation that the fifteen firearm discharges were *Justified*.
- On May 6, 2023, on the 4200 block of 4th Street, SE, a uniformed officer heard a young subject screaming from a gated courtyard. The officer responded towards the sound and observed a dog biting the subject. The officer discharged their firearm, and fatally killed the dog, ending the attack. The UFRB concurred with IAD's recommendation that all five firearm discharges were *Justified*.
- On July 23, 2023, at 200 Highview Place, SE, a patrol officer observed an unleashed dog attacking another dog, dragging the dog across the street. The officer attempted to separate the dogs, and the unleashed dog turned towards the officer. The officer discharged their firearm, and fatally killed the unleashed dog. The UFRB concurred with IAD's recommendation that the firearm discharge was *Justified*.
- On July 25, 2023, at the 200 block of Webster Street, NE, an MPD uniformed patrol officer responded to assist DC Animal Care and Control (DC ACC) with a dog bite complaint. The dog had knocked a subject to the ground and bitten their leg and arm earlier in the day. The dog's owner opened the front door of his residence when the DC ACC representative and officer arrived. The dog ran outside and charged towards the officer. The officer discharged his service pistol four times, fatally killing the dog. The UFRB concurred with IAD's recommendation that the firearm discharge was *Justified*.
- On August 1, 2023, at the 3400 block of 13th Place, SE, officers responded to a ShotSpotter alert that detected gunshots. While canvassing on foot, officers spotted the subject with a weapon pointed at the officers. The subject discharged their weapon and the officers discharged their weapons at the subject. One of the officers was injured during gunfire and the subject left the scene and could not be located and their weapon was not recovered. Only a rifle cartridge casing was recovered at the scene. The UFRB concurred with IAD's recommendation that all three firearm discharges were *Justified*.
- On August 1, 2023, at the 1700 block of Benning Road, NE, officers responded to a ShotSpotter alert and arrived at the scene. Officers spotted the subject and ordered the subject to put their hands up. The subject discharged their firearm at the officer. The officer discharged their firearm seven times towards the subject, and they ran into an apartment building. Additional officers arrived at the scene and soon arrested the subject. The UFRB concurred with IAD's recommendation that all seven firearm discharges were *Justified*.

2023 OFFICER-INVOLVED FIREARM DISCHARGES (CONT.)

- On August 17, 2023, at the 7400 block of Georgia Avenue, NW, an officer responded to a report about a subject near their location. The officer was able to locate the subject based on the description they were given over the radio. The officer verbally notified the subject to stop. The subject reached into their pocket and pulled out their weapon. The officer verbally notified the subject to drop their weapon. The subject discharged their weapon at the officer and the officer discharged their firearm eight times at the subject. The officer struck the subject, and they dropped their weapon as they fell to the ground. The UFRB concurred with IAD's recommendation that the eight firearm discharges were *Justified*.
- On August 23, 2023, an officer was dispatched to residence to make contact with a missing person. When the subject opened the door, a dog ran out and bit the officer on the stomach. The officer discharged their firearm twice, striking the dog and ending the attack. The UFRB concurred with IAD's recommendation that the two firearm discharges were *Justified*.
- On October 19, 2023, at 2841 Naylor Road, SE, two officers respond to a call that a subject had a weapon. The officers arrive on the scene and were able to identify the subject based on the description that was provided. The subject ran away from the officers. The subject then discharged their weapon at the officers. While the subject and the officers were caught in gunfire, one of the officers was struck in the back. While the subject was attempting to flee the scene, the other officer discharged their weapon and struck the subject, and the subject later succumbed to their injuries. The UFRB concurred with IAD's recommendation that the fifteen firearm discharges were *Justified*.
- On December 18, 2023, at the 900 block of F Street, NW, officers made contact with a subject who was in possession of a weapon. While holding their weapon, the subject turned towards one of the officers and one of the officers discharged their firearm, striking the subject. The UFRB concurred with IAD's recommendation that the firearm discharge was *Justified*.

NECK RESTRAINTS

UFRB Determinations- Neck Restraints⁶¹

General Order 901.07 states that “Members shall not employ any form of neck restraint except when an imminent threat of death or serious physical injury exists, and no other option is available.”⁶¹ In December 2022 the DC Council passed DC Law 24-0345, Comprehensive Policing and Justice Reform Amendment Act of 2022, which amended the definition of neck restraints and stated that the use of neck restraints constitutes as excessive force. The new legislation also redefined neck restraints as “the use of any body part or object by a law enforcement officer against a person with the purpose, intent, or effect of controlling or restricting the person’s airway or severely restricting the person’s breathing, except in cases where the law enforcement officer is acting in good faith to provide medical care or treatment, such as by providing cardiopulmonary resuscitation; or the placement of a person by a law enforcement officer in a position in which that person’s airway is restricted.”^{62, 63} The legislation applied the amended definition retroactively, so the Use of Force Review Board began reexamining all previous neck restraint allegations that fell under its jurisdiction. This reexamination is still ongoing. Because of this, the number of determinations issued by UFRB with respect to neck restraints increased significantly from the 9 cases it reviewed in 2022. What follows is a summary of the determinations for the reexamined cases and new cases from 2023.

- In 2023, UFRB issued 56 determinations regarding 32 neck restraint incidents that took place. Of these neck restraints, 1 was Justified, 27 were Not Justified, 8 were Unfounded, and 20 were determined to have Insufficient Facts.
- On April 4, 2023, an officer was called to assist with a fight happening at a school. While the SRO was breaking up multiple fights, the officer was notified that a student in the vehicle was locked up for simple assault. The officer instructed the student to exit vehicle but became an active resister when the officer used soft hand controls to remove them. While reaching for the student’s shoulder, the officer briefly made contact with the student’s neck. The student placed their full weight on the officer and injured the officer’s ankle in the process. The UFRB concurred with IAD’s conclusion that the neck restraint was *Not Justified*.

- On April 25, 2023, officers observed an assault in progress. When the subject noticed the officers, he tried to flee the scene by boarding a bus. The subject resisted arrest after officers instructed the subject multiple times to leave the bus. Officers were eventually able to detain and handcuff the subject on the bus. Officers had to physically remove him from the bus and escorted him to their designated MPD vehicle to finish conducting their investigation. The UFRB concurred with IAD’s conclusion that there was *Insufficient Evidence* regarding the allegation of a neck restraint.
- On May 15, 2023, an officer detained a suspect for destruction of property. The suspect attempted to run away multiple times and resisted arrest. The officer had to use tactical takedowns multiple times while waiting for the ambulance to arrive. The officer touched the suspect’s neck during one of the takedowns. The UFRB concurred with IAD’s conclusion and found the neck restraint was *Justified*.
- On May 30, 2023, a subject was making threats and actively resisting arrest. The arresting officers employed a tactical takedown to prevent the subject from escaping. One of the officers used OC spray on the subject. The subject stopped resisting and an officer secured both the subject’s right wrist and left wrist in handcuffs and placed the subject under arrest. The UFRB concurred with IAD’s conclusion that there were *Insufficient Facts* for one of the neck restraint allegations. In addition, the UFRB did not concur with IAD’s original determination of *Not Justified* for the other neck restraint allegation and determined that the neck restraint allegation was *Unfounded*.
- On July 30, 2023, officers responded to call about a burglary alarm, but it was determined that the alarm went off on accident. The subject was found lying on the floor of a bathroom and they were given medical attention. It was later discovered that the subject was a juvenile who needed medical attention. Once cleared, the juvenile admitted they were under the influence and was behaving erratically. The officers tried to escort the subject to the police vehicle, but the subject was not complying. Eventually the subject complied and was then taken to the Children’s Hospital. The UFRB

60: Summaries are based on the summaries presented to the UFRB

61: For more information, please visit this [site](#)

62: Executive Order EO-20-044. Available [here](#)

63: For more information on neck restraints please visit this [site](#)

NECK RESTRAINTS

concurred with IAD's conclusion that there were *Insufficient Facts* regarding the alleged the neck restraint.

- On August 3, 2023, an officer responded to a call for assistance with a suspect who was actively resisting arrest. The officer used hand control techniques and was successfully able to handcuff the suspect. The officer stated that they touched the subject's shoulder and back during the encounter, but not their neck. The UFRB concurred with IAD's conclusion that the neck restraint allegation was *Unfounded*.
- On August 13, 2023, officers responded to a call involving multiple suspects who were allegedly stealing items outside of a grocery store. An officer was able to catch up with one of the suspects while riding their bike and confiscated one of the bags of stolen items. The suspect fled on foot and the officer grabbed the suspect by the torso and touched the suspect's neck while handcuffing them. The UFRB concurred with IAD's conclusion that the neck restraint was *Not Justified*.
- On August 18, 2023, an officer responded to a domestic violence dispute. Officers ordered the male suspect to stop striking and stop chasing the female victim. The de-escalation tactics the officers used were unsuccessful and the male suspect began resisting arrest as they were being handcuffed. The officer made contact with the suspect's neck twice while trying to keep the suspect on the ground. The UFRB concurred with IAD's conclusion that the first-neck restraint and the second-neck restraint were *Unfounded*. The UFRB also made training recommendations for the officer.

ELECTRONIC CONTROL DEVICE (ECD) DEPLOYMENTS

Overview

In 2023, the UFRB made 15 determinations regarding ECD deployments in 10 cases. The final determinations the UFRB made are listed below:

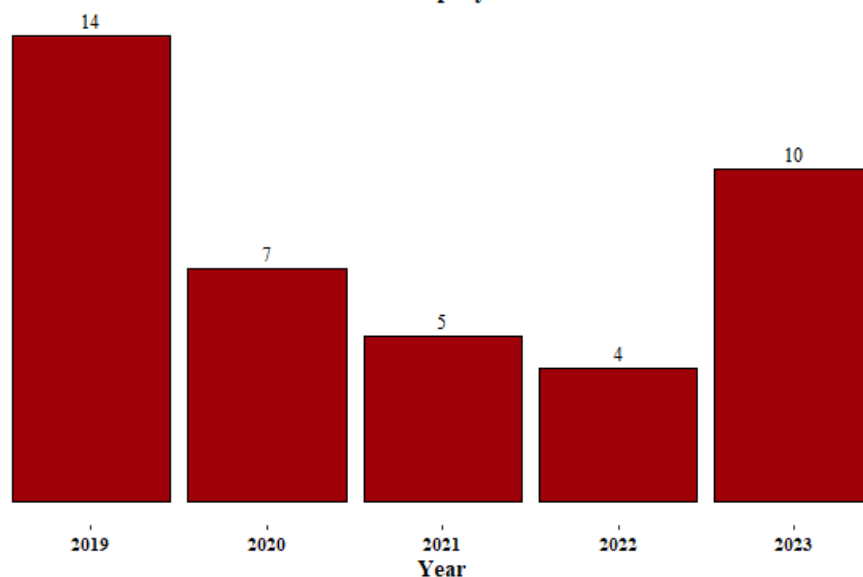
- Twelve ECD deployments were determined *Justified*;
- Three were determined *Not Justified*.

An Electronic Control Device (ECD) is a device designed primarily to discharge electrical charges into a subject that will cause involuntary muscle contractions and override the subject's voluntary motor responses.⁶⁴ Currently, ECDs can only be used by MPD sergeants or higher ranked officers who have completed department-approved ECD training. ECD's may be used when a subject is behaving as a threatening assailant, meaning they are likely to harm themselves or MPD personnel, while an incident is taking place.⁶⁵ In 2022, the UFRB reviewed four ECD deployment cases, and in 2023 the number of ECD deployment cases increased to ten. Most ECD deployments in 2023, were considered *Justified*, and most of the incidents included subjects behaving aggressively toward officers or having an object in their possession that could be used as a weapon.

Examples of 2023 UFRB Determinations for ECD Deployments

Most ECD deployments in 2023, were considered *Justified*, and most of the incidents included subjects behaving aggressively toward officers or having an object in their possession that could be used as a weapon. In one incident, an officer responded to a call for a large individual who was behaving erratically, and when they arrived at the scene, the individual threatened to harm the officer, while walking in the officer's direction. The officer deployed their ECD to avoid being harmed. The use of an ECD in this incident was considered *Justified*. In another incident, officers received a call about a subject who had a knife at a gas station and refused to drop the weapon when instructed by officers. After multiple verbal warnings, the officers deployed their ECDs, and the subject was handcuffed. It should be noted that not all ECDs are deployed onto to human subjects, as sometimes they are deployed on animal subjects. For example, there was an incident where a subject was running away from officers with their dog and the subject instructed the dog to attack the officers. In that moment, one of the officers deployed their ECD on the dog and the dog ran away. The IAD agreed that the ECD deployment was *Justified* during this encounter. An example where ECD deployment was ruled as *Not Justified* occurred when a subject was fleeing from officers and reached for something in their waistband. Officers verbally warned the subject not to reach for their waistband multiple times before deploying their ECDs. In another incident, an officer responded to a call where a subject threatened to harm themselves while on the roof of a building. The officer used special tactics to lure the subject away from the edge of a roof, and eventually the officer deployed their ECD twice when the subject was within range. This incident was ruled *Not Justified* and the officer received a *Policy Violation*.

UFRB ECD Deployment Cases



64: Metropolitan Police Department's General Order RAR-901.04: "Less Lethal Weapons." Available [here](#)

65: Metropolitan Police Department General Order RAR-901-07: "Use of Force." Metropolitan Police Department; 28 March 2024. Available [here](#)

UFRB RECOMMENDATIONS TO MPD

The UFRB also makes recommendations based on the cases they review. In 2023, the UFRB made the following recommendations to MPD.

1. The UFRB requested the appropriate division of the Internal Affairs Bureau conduct a review of the current procedures and policy for reviewing chain of command investigations within the Fifth District and Patrol Services North. The purpose of this review is to ensure chain of command investigations are being reviewed in accordance with Metropolitan Police Department policies and procedures. The UFRB further recommended that the review be expanded to all other districts to ensure compliance.
2. The UFRB believed the BWC footage from one incident could be utilized by the MPA in training as a good example of proper use and outcome of an ECD.
3. The UFRB recommended a review and update to the MPD policy in reference to vehicular pursuits (General Order 301.03, Vehicular Pursuits). Specifically, the UFRB recommended that additional language be added to the General Order related to the responsibility of officers who are passengers of a vehicle involved in a pursuit to voice their belief to the operator of the vehicle about whether they believe the pursuit complies with MPD policy. Additionally, if the member/passenger does not agree the pursuit is in accordance with department policy, the member has a duty to immediately report the incident to an official as misconduct.
4. The UFRB recommended that a policy review be conducted in reference to General Order 901.04, Less Lethal Weapons. The UFRB requested that MPD explore the possibility of adding language that could allow for a more expanded use of ECDs by its officers. Specifically, UFRB recommended exploring the possibility that ECDs should be authorized for use when a subject is not only armed but is believed to be or is potentially armed.

OPC RECOMMENDATIONS TO MPD

Overview

In its FY17 and 2018 Use of Force Reports, OPC made eight and three recommendations, respectively, while expanding a FY17 recommendation in 2018, for MPD to improve its use of force policies, reporting, and data collection. In the 2019 Use of Force Report, there were no new recommendations made. In the 2020 Use of Force Report, OPC made two recommendations, and one recommendation in the 2021 Use of Force Report. The 2021 recommendation has since been combined with the 2020 recommendation as there is overlap. In the 2022 Use of Force Report, OPC made two new recommendations and will be making two recommendations in the 2023 Use of Force Report. The following is an overview of the progress MPD has made on the recommendations, from both OPC's and MPD's perspectives. OPC's review process included requests to MPD to determine the status of the recommendations. Therefore, the statuses of these recommendations are current as of the date this report was issued. OPC also considered its own observations and experiences in producing this 2023 Use of Force Report to determine the extent to which the recommendations were implemented.

For simplicity purposes, only included in this report are the two most recent correspondences between OPC and MPD. To find previous correspondence please refer to the 2022, 2021, 2020, or 2019 Use of Force Reports.⁶⁶ Further, recommendations that have been fully implemented are not included in the updates. Refer to pages 48 and 49 for a table with a timeline of the recommendations and their implementation status.

2023 Recommendations

1. MPD should re-administer the mandated Use of Force Training to all officers who receive sustained allegations of unnecessary or excessive force

On March 28, 2024, MPD issued an updated use of force general order, GO-RAR-901.07, and the revised directive mandates that all sworn members receive use of force training prior to completion of initial training and subsequent refresher training semiannually (GO 901.07, pg. 2, Part II.K.1). While OPC acknowledges that this training is essential for new personnel and that providing refresher training is beneficial to all members, MPD has not specified whether this training will be readministered to sworn personnel in the event their use of unnecessary or excessive force is deemed unjustified by the UFRB. Although the UFRB did not recommend all members who received unjustified determinations to receive use of force training, OPC encourages MPD to provide remedial or alternative training for these officers to prevent them from engaging in additional unjustified use of force incidents in the future.

2. MPD should review and re-assess its firearms training program to improve accuracy and reduce the number of missed targets by officers when they discharge their firearms.

In 2023 MPD officers had a mere 28% rate of accuracy when discharging their firearms at human subjects. This extremely low accuracy rate strongly suggests a need for improved firearms training among MPD officers. A low firearms accuracy rate equates to higher risk of injury to community members and any MPD officers who may be in the vicinity of a firearms discharge. It could also potentially result in civil liability for the department and the District from any resulting lawsuits stemming from injuries to human beings or damage to property caused by inaccurate firearms discharges. The public trusts and has an expectation that MPD officers will protect them in situations that call for the use of deadly force, and a low rate of firearms accuracy will only diminish that trust. Consequently, OPC encourages MPD to re-evaluate its firearms training program to reduce the risk of injury or death to community members and its own officers.

⁶⁶: For more detailed information on the recommendations and correspondence between MPD and OPC please see the prior Use of Force Reports. Available [here](#)

OPC RECOMMENDATIONS

2022⁶⁵ Recommendations Update

Of the two recommendations OPC made in 2020, MPD has:

- **Fully implemented** one recommendation; and
- **Not implemented** one recommendation

1. MPD should specify where in the force response pointing of a firearm falls

Status according to MPD as of August 2024⁶⁶

MPD policy provides clear guidance on when the pointing of a firearm may be appropriate and how incidents should be evaluated by managers. GO 901.07 (Use of Force), Part II.A.8.f. states, in part, “Members shall only point a firearm at a subject when circumstances create a reasonable belief that it may be immediately necessary for the member to use deadly force.”

OPC Response:

OPC considers this recommendation partially implemented. On January 1, 2022, MPD issued an updated use of force general order, GO-RAR-901.07 and the revised order clarifies that the pointing of a weapon is a use of force that requires supervisory review (GO 901.07, pg. 9, Part II.D.1). While OPC acknowledges that this is a step in the right direction, MPD has yet to specify exactly where in the prescribed force used framework pointing a firearm falls. Currently, MPD’s force hierarchy shows that the pointing of a firearm falls somewhere between a tactical takedown and OC spray. A tactical takedown and OC spray are classified as compliance techniques, yet the pointing of a firearm is not classified as a compliance technique. According to the Use of Force Framework, MPD categories oleoresin capsicum (OC) spray, wrist locks, takedowns, ASP baton arm extractions, use of an ASP baton to conduct a wrist lock, and use of a patrol shield to pin a subject down as compliance techniques. According to MPD’s hierarchy it appears that pointing a firearm is a compliance technique, but MPD never specifically defines it as such.

MPD should consider where in the prescribed force used framework pointing a firearm should fall. OPC will consider this recommendation fully implemented when MPD categorizes where pointing a firearm falls on the prescribed use of force framework.

2. MPD should work to implement the UFRB voting member provisions of General Order 901.07.

Status according to MPD as of August 2024

MPD has filled all positions of the UFRB that are under our control.

OPC Response:

OPC considers this recommendation not implemented. As of August 30, 2024, the Mayor’s Office of Talent and Appointments has posted vacancies for citizens to be appointed to the Use of Force Review Board but has not posted vacancies for citizens to be appointed to the council. OPC encourages MPD to work with the Mayor’s Office and the DC Council to fill these additional vacancies on the Use of Force Review Board as soon as possible.

65: For more detailed information on the recommendations and correspondence between MPD and OPC please see the 2022 Use of Force Report. Available [here](#)

OPC RECOMMENDATIONS

2020⁶⁷ Recommendations Update

Of the two recommendations OPC made in 2020, MPD has:

- **Fully implemented** one recommendation; and
- **Not implemented** one recommendation

1. MPD should work to reduce the racial disparities in the uses of force as well as the locations of where force incidents occur.⁶⁸

Status according to MPD as of August 2024

AGREE IN PART, IN PROGRESS

As noted in our previous responses, while MPD is committed to doing our part to reduce racial disparities in use of force where possible, the complex social issues that contribute to these disparities extend beyond the ability of the police department alone to control. We are happy to discuss any OPC's recommendations regarding changes to use of force data collection that may improve analysis capabilities.

OPC Response:

OPC considers this recommendation **not implemented**. OPC agrees with MPD that the issue of racial disparities in police contact in the District is complex and cannot be completely solved by the department alone. However, the engrained and discriminatory history of policing and its contribution to modern disparities also must not be ignored. MPD stated "if the root cause of bias is structural and socio-economic inequality, the changes that focus on individual-level police officers or even department-level policy decisions would likely have limited effect and may even be counterproductive." However, in the "Sample Learning Agendas and Measurement Guide"⁶⁹ it is pointed out that racial bias can occur at the city/community level because law enforcement actions, "resources, and policies vary across jurisdictions, as do the missions, resources, and policies of non-law enforcement actors." Similarly, these "variations correspond to differences in the geographic segregation of racial groups in the population."

Since the conception of the Use of Force report, there has been racial disparities in uses of force. In 2017, White residents represented 36% of the District's population⁷⁰ and has increased slowly to 38% in 2023.⁷¹ Although they are making up a larger percentage of the District's population, they are making a smaller percentage of subjects reported in use of force incidents. From 2017 to 2023, the percentage of White subjects reported in use of force incidents has decreased from 7%⁷² to 4%.⁷³ In 2022, Districts 6 and 7 accounted for 45% of all use of force incidents, and in 2023, they accounted for 43% of all use of force incidents. These districts also correspond to Wards 7 and 8, which both have about 83% and 82% Black residents, respectively.⁷⁴ This indicates that there is a cyclical relationship between the outside societal forces and the police department where policing may be different among underserved communities.

67: For more detailed information on the recommendations and correspondence between MPD and OPC please see the 2022 Use of Force Report. Available [here](#)

68: The 2021 racial disparities in use of force locations recommendation was combined with the 2020 racial disparities in uses of force recommendation

69: The Sample Learning Agendas and Measurement Guide paper referenced by MPD and OPC can be found [here](#)

70: For more detailed information on the 2017 demographics of subject reported in use of force incidents please see the 2017 Use of Force Report. Available [here](#)

71: For more detailed information on the 2023 demographics of subject reported in use of force incidents please see the chart on page 19

72: For more detailed information on the 2017 demographics of subject reported in use of force incidents please see the 2017 Use of Force Report. Available [here](#)

73: For more detailed information on the 2023 demographics of subject reported in use of force incidents please see the chart on page 19

74: More detailed information about [Ward 7](#) and [Ward 8](#) can be found in the Census Reporter.

OPC RECOMMENDATIONS

2018⁷⁵ Recommendations Update

Of the two recommendations OPC made in 2020, MPD has:

- **Fully implemented** two recommendations; and
- **Partially implemented** one recommendation

1. MPD should reduce the upward trend of use of force incidents.

Status according to MPD as of August 2024

IN PROGRESS

MPD will continue to seek out tools and training to reduce the use of unnecessary force whenever possible. However, officers will, when lawful and appropriate, be in situations that require the minimum amount of force necessary to effectively bring an incident or person under control. We understand the importance of examining use of force trends and encourage OPC to include discussion on outcomes of use of force incidents including trends on whether the force being used is justified for non-UFRB cases as part of their annual analysis. Regarding our crime suppression teams (CSTs), our training academy provided the CSTs with training in both 2023 and 2024 on topics that included de-escalation, bias and cultural competency, the 4th Amendment, and operations planning.

OPC Response:

OPC considers this recommendation **partially implemented**. OPC recognizes the steps that MPD has taken to provide their officers with the training, tools, and support necessary to avoid the use of force and de-escalate situations whenever possible. In 2023, there was a 9% increase in uses of force and an 11% increase in use of force incidents compared to 2022. In 2022 there was an 11% increase in uses of force and a 13% increase in use of force incidents as compared to 2021. During this time period there was a 2% increase in stops, a 4% decrease in overall crime, and a 1% decrease in arrests.⁷⁶ While this is still a 27% decrease from 2018, the percentage increases in uses of force and force incidents is higher than expected based on the difference in stops, crime, and arrests between 2021 and 2022. In 2021 the UFRB reviewed a number of GRU uses of force, and in agreement with IAD recommended that MPD needs to change their curriculum for all new and existing GRU members. The UFRB specified that “at the conclusion of training members should be required to test and demonstrate that they fully understand and have retained what was taught,” which indicated to OPC that both the UFRB and IAD saw noticeable issues with the training of the GRU. OPC appreciates that MPD has disbanded the GRU and replaced it with the Violent Crime Impact Team (VCIT). The VCIT training listed by MPD included the recommendations brought up by the UFRB in 2021. Further, in 2021 the UFRB recommended that MPD re-train all Crime Suppression Team members on scenario training, de-escalation techniques, communication between team members, operational planning for incidents, including tactics. The UFRB also recommended in both 2021 and 2022 that IAD should “conduct a follow-up investigation into the CST officials’ lack of supervision and management of the CST members during this operation. The investigation should also look into the daily operations and management by the CST officials.” These statements and recommendations in 2021 and 2022 from the UFRB give OPC the impression there are gaps in the training provided to the officers who are statistically most likely to use force.

As mentioned in last year’s report, OPC recognizes that the number of uses of force each year is not completely within MPD’s control. OPC understands that it is unreasonable to expect officers to never use force as officers will reasonably need to use force to ensure officer and community safety. This is a recommendation that will be continuously examined in each subsequent Use of Force Report and the status may change based on trends in uses of force as compared to stops, arrests, and crime.

75: For more detailed information on the recommendations and correspondence between MPD and OPC please see the 2018 Use of Force Report. Available [here](#)

76: Stop data can be found [here](#). Crime data can be found [here](#). Arrest data can be found [here](#)

OPC RECOMMENDATIONS

2017 Recommendations Update⁷⁷

Of the 8 recommendations OPC made in 2017⁷⁸, MPD has:

- **Fully Implemented** four recommendations;
- **Partially implemented** three recommendation; and
- **Not implemented** one recommendation

1. MPD should collect all use of force data electronically.

Status according to MPD as of August 2024

IN PROGRESS

To the extent that OPC has any additional concerns based on their review of 2023 use of force data, we will be happy to discuss further.

OPC Response:

OPC considers this recommendation **partially implemented**. OPC did receive PPMS data where the pre-existing injury field was exported. However, OPC will need to review the 2023 data to ensure this field is accurately exported. There is still information that is not being imported properly such as the subject's age and race not exported to the PPMS Excel sheet and neck restraints in PPMS not appearing in the FIRs. There seems to be improvement but there could be an increase in accuracy.

2. MPD supervisors should carefully review all use of force reports prior to approving them for final submission.

IN PROGRESS

MPD requires supervisory review of all FIRs and will continue to ensure the utmost accuracy of our data. However, we disagree with OPC's measure of this recommendation that PPMS and FIR data must match in all cases, and cannot imagine a scenario where that will be the case. Information captured on the FIR and in the PPMS incident summary module are captured by different people, at different times, and for different purposes. The FIR is completed by the officer who used force and reflects his or her account of the incident. PPMS data reflects information as captured by the supervisor and the investigator. Accordingly, there will be times where PPMS data and FIR data will not align based on the findings of the investigation. We also note OPC's concern that neck restraints are not captured as an individual force type on the FIR. While officers can enter neck restraints in the "If other..." field under force information, we agree that adding "neck restraints" as a standalone option will be useful and will modify PPMS accordingly.

OPC Response:

OPC still considers this recommendation **partially implemented**. OPC understands that the information captured from use of force incidents is complex and is captured by different people at different times. However, MPD should still strive to have the utmost accuracy. Another issue that OPC has noticed when analyzing the data is that neck restraints are reported in PPMS but not in FIRs. During conversations with MPD's IAD, OPC learned that while neck restraints can be reported in PPMS, there is no category for a neck restraint on the FIRs themselves. OPC understands that neck restraints are a prohibited use of force technique. Nevertheless, they are still being reported in PPMS and should also be reported on FIRs. In fact, in 2022 there were 6 sustained neck restraints that appeared in the PPMS data, but not in the FIR data. MPD has suggested OPC and MPD meet regularly to go over the PPMS/FIR data in order to ensure data accuracy. OPC will consider this recommendation fully implemented when the FIRs and PPMS data match.

⁷⁷: For more detailed information on the 2017 recommendations and correspondence between MPD and OPC please see the 2017 Use of Force Report. Available [here](#)

⁷⁸: This also includes recommendation 5A that originated in the 2018, but is reported with the 2017 recommendation

OPC RECOMMENDATIONS

3. MPD should clarify the definition of contact controls and report contact controls on UFIRs (FIRs).

Status according to MPD as of August 2024

AGREE IN PART, COMPLETE

To the extent that OPC has any additional concerns based on their review of 2023 use of force data, we will be happy to discuss further.

OPC Response:

OPC considers this recommendation **partially implemented**. OPC was not recommending officers complete a FIR anytime they put their hands on an arrestee. OPC merely recommended MPD clarify their definition of contact controls. In prior directives, control holds and hand controls were used interchangeably, and in the general order issued on January 1, 2022, MPD clarified that hand controls fall within the category of control holds. MPD also specified what types of force are included in control holds. OPC will monitor this recommendation over the next year through the use of force data. In the 2021 use of force data MPD officers were categorizing hand controls/control holds as compliance techniques and not as control holds. OPC will consider this complete when officers correctly categorize uses of force that are considered control holds.

4. MPD should require all officers to complete a UFIR immediately following a use of force incident.

Status according to MPD as of August 2024

DISAGREE

MPD continues to disagree with this recommendation for the reasons previously stated. Officers retain their constitutional rights and cannot be compelled to provide a statement regarding a use of force (including a FIR or other report) until they have been issued a Reverse-Garrity by the department or a declination to prosecute from the United States Attorney's Office.

OPC Response:

OPC considers this recommendation **not implemented**. OPC's opinion remains that MPD officers should complete some type of report immediately following all uses of force. This will ensure officers are correctly describing the event and the subjects' actions. This is especially important as a small number of FIRs are completed a year or two after the use of force occurred. Having officers complete some sort of written statement will allow them to more accurately describe the uses of force.

RECOMMENDATIONS

	Policy	Status as of 2020 Report	Status as of 2021 Report	Status as of 2022 Report	Status as of 2023 Report
1	MPD should create a single use of force General Order that combines all existing guidance into one document	Fully Implemented	Fully Implemented	Fully Implemented	Fully Implemented
2	MPD should eliminate the Reportable Incident Form (901-g)	Fully Implemented	Fully Implemented	Fully Implemented	Fully Implemented
3	MPD should collect all use of force data electronically	Partially Implemented	Partially Implemented	Partially Implemented	Partially Implemented
4	MPD should increase the amount of information captured in the UFIR	Fully Implemented	Fully Implemented	Fully Implemented	Fully Implemented
5	MPD supervisors should carefully review all use of force reports prior to approving them for final submission	Partially Implemented	Partially Implemented	Partially Implemented	Partially Implemented
5A	New Recommendation: MPD should make essential fields of the UFIR/ RIF electronically mandatory	Fully Implemented	Fully Implemented	Fully Implemented	Fully Implemented
6	MPD should clarify the definition of contact controls and report contact controls on UFIRs (form 901-e)	Not Implemented	Partially Implemented	Partially Implemented	Partially Implemented

RECOMMENDATIONS

	Policy	Status as of 2020 Report	Status as of 2021 Report	Status as of 2022 Report	Status as of 2023 Report
7	MPD should resume collection of data from firearm discharge incidents	Partially Implemented	Fully Implemented	Fully Implemented	Fully Implemented
8	MPD should require all officers to complete a UFIR immediately following a use of force incident	Not Implemented	Not Implemented	Not Implemented	Not Implemented
9	MPD should correctly label fist strikes in PPMS	Fully Implemented	Fully Implemented	Fully Implemented	Fully Implemented
10	MPD should provide officers a training update reminding them that fist/knee strikes are not compliance techniques	Fully Implemented	Fully Implemented	Fully Implemented	Fully Implemented
11	MPD should reduce the upward trend of use of force incidents	Partially Implemented	Partially Implemented	Partially Implemented	Partially Implemented
12	Racial Disparity in Uses of Force and Location of Use of Force Incidents	N/A	Not Implemented	Not Implemented	Not Implemented
13	Pointing of Firearm as Use of Force	N/A	Fully Implemented	Fully Implemented	Fully Implemented
14	Specification of Where Pointing of a Firearm Falls in the Prescribed Use of Force	N/A	N/A	N/A	Partially Implemented
15	Implement the UFRB voting member provisions of General Order 901.07	N/A	N/A	N/A	Not Implemented

APPENDICES

APPENDIX A: MPD FORCE INCIDENT REPORT



FORCE INCIDENT REPORT (FIR)



A. REPORTING MEMBER

IS Number	Officer name	Rank	Branch/District
Division	Sex	Race	Ethnicity
Height	Weight	Appointment Date	Duty Status
Uniform	Age		
Were you equipped with BWC		Is BWC activated?	
Supv. Notified	Date Notified	Time Notified	
Supv. Ntfd Name		Supv. Ntfd Rank	
On Scene Supv Name		On Scene Supv. Rank	

B. FORCE INFORMATION


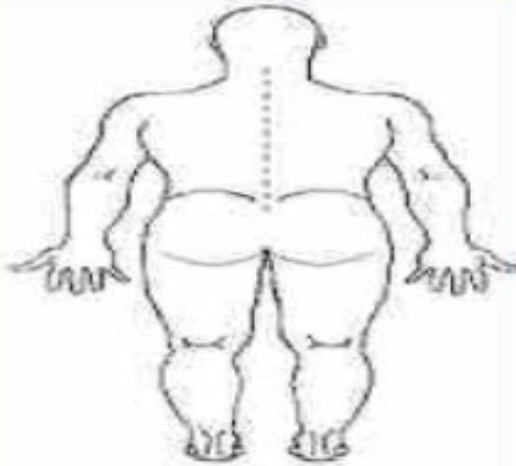
Incident Date	Incident Time	Date of Report	Time of Report
CCN	District of Incident	PSA of Incident	Other Jurisdiction
Street Address of Incident			
Lighting Conditions		Ground Conditions	

C. MEMBER'S INJURY

Member Injured or Complaint of Pain (If yes, Complete Member Injury Section)

Any visible injuries? Is Hospitalized?


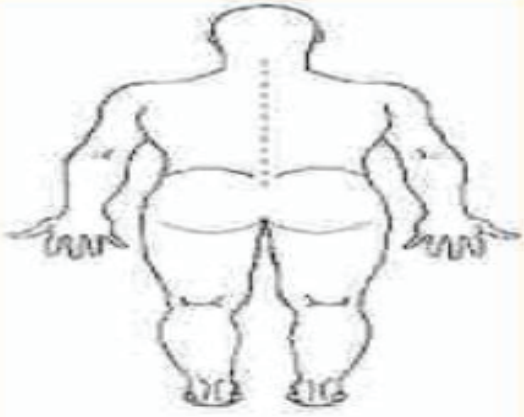
MEMBER INJURY

	
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Body Injury :Ear (s)

Observations	Complaints
Concussions	
Photos Taken	Photos Stored at

If Other, specify location			
D. SUBJECT INFORMATION			
Total Number of persons on whom force was used :			
SUBJECT - 1			
Is Subject Unknown?		If yes, Age Range	
Name		Address	
DOB	Sex	Race/Ethnicity	SSN
Phone	Height	Weight	
CCN	Arrest Number	Charges	
<u>SUBJECT'S ACTION & ACTIVITY</u>			
Subject Activity		Other Subject Activity (If any)	
Subject Action			
Impairment			
<u>FORCE INFORMATION (Used on Subject)</u>			
Specific Type of Force used on Subject		If other specific type of force used,	
Category of Force		Firearm Information	
<u>SUBJECT WEAPON INFORMATION</u>			
Weapon	Firearm	Blunt Weapon	Edged Weapon
	Type:	Type:	Type:
	Recovered	Recovered	Recovered
	Recovery Location	Recovery Location	Recovery Location
	Discharged		
Other Weapon	Other Weapon Type	Other Weapon Recovered	Other Weapon Recovery loc
<u>SUBJECT INJURY</u>			
Injured or Complaint of Pain due to Force Incident?		Any visible Injuries?	
Pre-Existing Injury/Condition (If any)			

			
Location of Injuries			
Injuries :			
Observations		Complaints	
Other Observations (if any)		Other Complaints (if any)	
Ambulance No	Medic No	Photos Taken	

E. OTHER MEMBER FORCE INFORMATION		
Did any other members use force during this incident?		
F. PROPERTY DAMAGE		
Was the property damaged as the result of the Use of Force?		If Yes, Described below
G. MEMBER NARRATIVE		
H. OTHER OBSERVATIONS NARRATIVE		
I. OTHER COMPLAINTS NARRATIVE		
H. REVIEW		
Member Signature	Date	
Supervisor Signature	Date	
Watch Commander Signature	Date	

APPENDIX B: HIERARCHY OF FORCE

In every use of force incident there may be a single type of force used or multiple types of force used by each officer. For reporting purposes, this report identifies the highest level of force used for each use of force. The hierarchy of force used in OPC's FY17 Use of Force Report was based largely on MPD's Use of Force ranking as listed on the UFIR form.

MPD UFIR Use of Force ranking:

- (1) Handcuffs
- (2) Hand controls
- (3) Firm grip
- (4) Control holds
- (5) Joint locks
- (6) Pressure points
- (7) Fist strike
- (8) Takedown
- (9) OC spray
- (10) ASP – control
- (11) ASP-strike
- (12) Taser/ECD
- (13) 40mm extended impact weapon
- (14) Firearm pointed
- (15) Firearm discharged

MPD's Use of Force Framework:

- (1) Cooperative Controls – Verbal and non-verbal communication
- (2) Contact Controls – Handcuffing, firm grip, hand controls
- (3) Compliance Techniques – Control holds, joint locks, takedowns, OC spray
- (4) Defensive Tactics – ASP strikes, fist strike, feet kick, 40mm extended impact weapon, Taser/ECD
- (5) Deadly Force – Firearm discharged

OPC evaluated MPD's UFIR Use of Force ranking with MPD's Use of Force Framework, as described in General Order 901-07, "Use of Force." While MPD's Use of Force Framework closely resembled MPD's UFIR Use of Force ranking, the latter does not appear to have been intended as a hierarchy, as there are instances where it does not match MPD's Use of Force Framework. In particular, on MPD's UFIR Use of Force ranking, fist strikes were ranked as a lower level of force than takedowns, which is different than MPD's Use of Force Framework; and ASP-control was ranked as a higher level of force than OC spray and fist strikes, which is different than MPD's Use of Force Framework. MPD did not provide the types of force in each category on the Use of Force Framework until late 2017, and so this discrepancy was not caught before the data was analyzed and the hierarchy published as shown above in OPC's FY17 Use of Force Report.

MPD does not consider pointing a firearm a use of force and therefore does not include it in its Use of Force Framework. On MPD's UFIR Use of Force ranking, firearm pointed was ranked as the second-highest type of force, which does not align with the ranking used by other police departments. NYPD, for example, considers pointing a firearm a higher type of force than a takedown, but lower than OC spray.

The Use of Force Framework also imposes no explicit hierarchy between different types of force at the same level. In particular, there is no explicit hierarchy between takedowns and OC spray (Use of Force Framework level 3), and there is no explicit hierarchy between ASP strikes, fist strikes, Taser/ECD use, and 40mm extended impact weapon (Use of Force Framework level 4).

After analyzing the information provided by MPD in 2017, a new hierarchy was developed in 2018 that follows MPD's Use of Force Framework, and extends the hierarchy to include firearm pointed and to impose an explicit hierarchy between force types that MPD groups together in the five Use of Force Framework categories. The differentiations between types of force in levels 3 and 4 of MPD's Use of Force Framework were based on the likelihood of the force to cause pain; the likelihood of the force to cause injury; and the likelihood of the force to cause serious injury or death. OC spray was therefore ranked higher than takedowns, as neither were likely to cause

APPENDIX B: HIERARCHY OF FORCE

injury, but OC spray was more likely to induce pain. Similarly, of the types of force contained in level 4 of MPD's Use of Force Framework, Tasers/ECDs were ranked highest as their use was most likely to be associated with a subject's death.^{79, 80} ASP strikes were ranked next highest as they were the most likely to cause injury or serious injury, and fist or knee strikes were ranked next highest as they were less likely than ASP strikes to cause injury.

MPD's Use of Force Framework:

- (1) Cooperative Controls – Verbal and non-verbal communication
- (2) Contact Controls – Handcuffing, firm grip, hand controls
- (3) Compliance Techniques – Control holds, joint locks, takedowns, OC spray
- (4) Defensive Tactics – ASP strikes, fist strike, feet kick, 40mm extended impact weapon, Taser/ECD
- (5) Deadly Force – Firearm discharged

New Hierarchy

- (1) Control holds (including hand controls, firm grip, joint locks, pressure points, ASP controls, ASP arm-extraction, and handcuffing)
- (2) Tactical takedown
- (3) Firearm pointed
- (4) OC spray
- (5) Fist/knee strike, 40mm extended impact weapon (foam or sponge rounds), or shield
- (6) ASP strike, canine bite(s)
- (7) Taser/ECD
- (8) Firearm discharged

The new hierarchy matches MPD's Use of Force Framework except:

- The new hierarchy does not include cooperative controls (Use of Force Framework level 1), as these are not physical uses of force and are not tracked by MPD;
- The new hierarchy groups all types of control holds together (level 1), rather than splitting them between two levels as on MPD's Use of Force Framework (levels 2 and 3);
- The new hierarchy does include firearm pointed (new hierarchy level 3); and
- The new hierarchy imposes an explicit hierarchy between takedowns and OC spray use; and between fist strikes, ASP strikes, and Tasers/ECDs.

Level 1 of the new hierarchy contains all hand control techniques. These fall into levels 2 and 3 of MPD's Use of Force Framework. The other types of force in level 3 of MPD's Use of Force Framework make up levels 2 (takedown) and 4 (OC spray) of the new hierarchy. Between them is firearm pointed, which is not included in MPD's Use of Force Framework. The placement of firearm pointed on the new hierarchy was based on NYPD's ranking, where firearm pointed falls between "push to ground" and pepper spray.⁸¹

The types of force in level 4 of MPD's Use of Force Framework make up levels 4, 5, 6, and 7 of the new hierarchy.^{82, 83} Firearm discharges are considered the highest level of force on both hierarchies – level 5 of MPD's Use of Force Framework corresponds to level 8 of the new hierarchy.

79: "Reuters finds 1,005 deaths in U.S. involving Tasers, largest accounting to date." Reuters. 22 August 2017. Available [here](#)

80: Zipes, Douglas P. "Sudden Cardiac Arrest and Death Following Application of Shocks From a TASER Electronic Control Device." Circulation. 2012;125:2417–2422

81: Fryer Jr, R. G. (2016). An empirical analysis of racial differences in police use of force. NBER Working Papers 22399, National Bureau of Economic Research, Inc

82: Although fist and knee strikes and ASP strikes are both considered defensive techniques by MPD, there is an implied hierarchy in MPD's policies in that ASP strikes to the head are not allowed, while fist strikes to the head are used regularly by officers. Therefore, ASP strikes are placed higher on the hierarchy than fist or knee strikes

83: Extended impact weapon strikes are ranked with fist strikes in the new hierarchy. The reason for grouping these types of force is that extended impact weapons are not currently used often enough by MPD to warrant their own rank in the hierarchy. They were therefore placed with the most similar type of force from the same level in MPD's Use of Force Framework

APPENDIX B: HIERARCHY OF FORCE

In 2019, three new types of force were added to the new hierarchy by OPC, as the three types of force – ASP arm-extraction, shield, and canine bite(s) had been added to the answer choices for the Specific Type of Force Used field on UFIR.⁸⁴ ASP-arm extraction has been added to level 1 because it was considered a type of control holds. The use of a shield is considered as a defensive tactic based on MPD's Use for Force Framework. While Defensive Tactics are level 4 in the Use of Force Framework, considering that the usage of a shield is unlikely to cause the type of injuries that are as serious as those caused by ASP strikes or canine bites, it has been added to level 5 of the hierarchy. Canine bite(s) has been added to level 6, considering the potential injury level it would cause the subjects of the bites. NYPD also categories both intentional strike with an object and canine bites at the same use of force level.⁸⁵

84: As discussed on page 10, the three new types of force were added as new answer choices for the Specific Type of Force Used field on UFIR as part of MPD's PPMS July 2019 enhancement

85: Report available [here](#)



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