



VOLUSIA SHERIFF'S OFFICE

MICHAEL J. CHITWOOD, SHERIFF

To: Sheriff Michael J. Chitwood
Via Chain-of-Command

Date: April 12, 2023

From: Karen French, Accreditation Coordinator
Professional Compliance Unit

File: 116M0006.23

Subject: 2023 Annual Analysis on 2022 Use of Force and Pursuits

2023 ANNUAL ANALYSIS on 2022 Use of Force and Pursuits

In accordance with General Order 001-01 Use of Force Guidelines, General Order 001-03 Use of Less-Lethal Weapons and Devices and General Order 041-02 Motor Vehicle Apprehension, the Professional Compliance Unit shall complete an annual analysis of all pursuits and use of force, to include use of deadly force, less-lethal force, and agency policies and practices.

The purpose of the annual analyses is to provide an additional means outside of the administrative review process to identify and address training deficiencies/opportunities, use of force trends among Deputies, and for protection of the Deputy, the Sheriff's Office, and the community.

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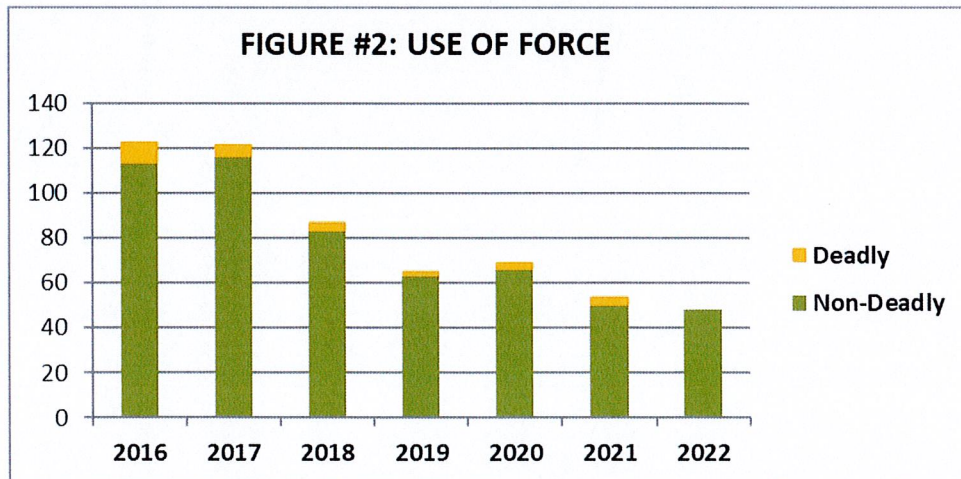


FIGURE #1: Five Year Statistical Review Summary

	2017	2018	2019	2020	2021	2022
Total Calls for Service	275,384	260,722	262,693	275,070	271,031	281,617
Total Arrests (Source: UCR)	13,079	10,488	9,370	6,459	6,400	6,930
Total Index Crime Rate (Source: UCR)	1,586	1,452	1,172	1,023	900	850
Deadly Force Incidents	6	4	2	3	4	0
Deadly Force Persons	6	3	2	3	3	0
Deadly Force Vicious Animals	0	1	0	0	1	0
Deadly Force Accidental Discharge	0	0	0	0	0	0
Less-Lethal Force Incidents	116	83	63	66	50	48
Total Use of Force Incidents	122	87	65	69	54	48
Total Vehicle Pursuits (Source: IAPRO)	5	7	6	6	5	6

2022 USE OF FORCE

During calendar year 2022, the Volusia Sheriff’s Office made 6,930 total arrests (Ref.: 2022 annual UCR statistics). In effecting these arrests, the number of incidents requiring use of force in response to subject resistance was 48 incidents, or about 0.7% of total arrests and less than 0.02% of all calls for service interactions with the public. The remaining 99.0% of all interactions were made without incident.



TREND ANALYSIS:

The above 7-year trend line indicates a decrease in use of force incidents from 2016 through 2022; in calendar year 2022, there was a 11.1% decrease in use of force incidents in response to subject’s resistance. Use of force incidents decreased 47.1% from 2016 – 2019, followed by a slight increase in 2020, and then declining again in 2021 and 2022. This may be attributed to the change in agency philosophy to the Guardian mindset and continuing de-escalation training.

DEADLY FORCE:

Of the 181 uses of force in 2022, zero (0) incidents (0.0%) involved the use of deadly force with a firearm against a person. During the calendar year 2022, Deputies did not utilize any deadly force against any person or animal.

LESS-LETHAL FORCE:

Based on the number of subjects and the level of subject-resistance, some incidents required multiple-deputy response and/or transition between more than one type of less-lethal force/weapon. Subsequently, more than one “use” of force per incident may be reported, resulting in a higher number of “uses” when compared to the number of “incidents” responded to.

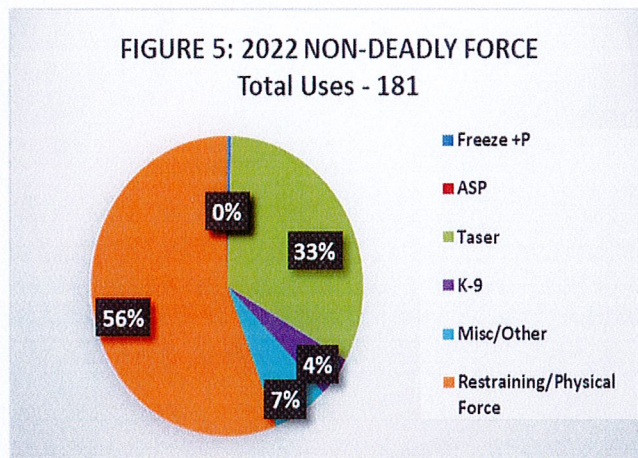
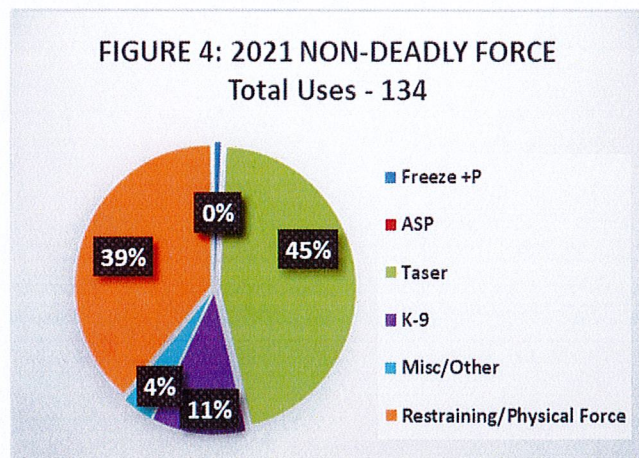
In 2022, deputies responded to 48 different incidents requiring use of less-lethal force in response to subject(s) resistance. These 48 incidents required a combined total of 181 uses of various types of less-lethal force. The table below (figure 3) breaks down the less-lethal force by type and corresponding number of uses:

FIGURE #3: BREAKDOWN OF NON-DEADLY FORCE BY TYPE

TYPE OF USE:	2017 No. of Uses	2018 No. of Uses	2019 No. of Uses	2020 No. of Uses	2021 No. of Uses	2022 No. of Uses
Stop Sticks [Pursuit related]	28	13	11	*	*	*
Freeze +P	2	0	0	0	1	1
ASP	3	0	2	1	0	0
Taser	39	53	22	48	61	59
K-9	29	23	23	22	15	8
Drag-Stabilized Impact	0	0	0	1	2	7
Misc./Other (hobble, misc.)	2	3	9	5	3	5
Restraining / Escort / Physical Force	35	67	59	75	52	101
Restraint Chair (ERC)	0	1	3	0	0	0
TOTAL COMBINED USES:	138	160	129	152	134	181

* Pursuit related Stop Sticks no longer counted with Non-Deadly Force.

LESS-LETHAL FORCE BY TYPE: 2021 – 2022 COMPARISON



ANALYSIS BY TYPE OF FORCE:

Top Three Less-Lethal Options Utilized:

101 uses of Restraining/Physical Force (55.8%)

59 uses of Taser (32.6%)

8 uses of K-9 (4.4%)

RESTRAINING / PHYSICAL FORCE: Restraining/physical force represents 55.8% of all less-lethal force used during 2022 (101 uses). Restraining/physical force as a less-lethal force increased 94.2% in 2022 when compared with 2021: All uses of restraining/physical force were administratively reviewed through the chain of command and several issues were addressed with roll call training, remedial training, or counseling on control of subjects, command presence, defensive tactics and late BWC activation. One policy violation involved a subject's request to speak with a supervisor.

TASER: Taser use remains in the top three (3) less-lethal use of force options, with 32.6% of the total (59 uses). Taser usage as a less-lethal use of force decreased 3.3% in 2022 when compared with 2021; in 11 (of 59) incidents (22 uses – 37%), subjects were armed (5 – firearm/handgun, 6 - knife, 2 – bat, 1 – ax, and 2 – machete). In 2022, the number of incidents with armed subjects increased 10% when compared with 2022. An additional subject made furtive movements indicative of possibly reaching for a weapon: reaching between the vehicle seats and reaching into his waistband. Subjects resisted Deputies with active, aggressive, or deadly force resistance in all less-lethal force Taser incidents. All Taser uses were administratively reviewed through the chain of command, and all were found in compliance with general orders except two. One (1) unintentional use of the taser was in an unapproved area and a Deputy received counseling for not announcing “Taser” before usage. Deputies received training on de-escalation and defensive tactics. Taser continues to be a valuable less-lethal option for Deputies to use with little or no lasting effects or injury to the subject.

K-9: K-9 use remained one of the top three uses for 2022 at 4.4% of the total uses (8); all uses were administratively reviewed, and all were found in compliance with policy. However, one Deputy was counseled on muzzling the canine after disengaging and another Deputy received roll call training on assisting during a canine apprehension.

MISC./OTHER: The other uses of less-lethal force in 2022 were: seven (7) uses of the impact munition shotgun (3.9%), one (1) use of the Freeze+P (0.5%), one (1) use of a spit mask (0.5%), and four (4) uses of hobbles to prevent injuries to Deputies (2.2%). One Deputy received Roll Call training on utilizing the less-lethal shotgun.

Roll call training, remedial training and/or discipline were administered in circumstances where deputies violated general orders.

INCIDENTS vs. USES:

The following chart (Figure #9) is a 6-year comparison in the numbers of less-lethal incidents to the subsequent uses of force in response to subject resistance. NOTE: A “*use-to-incident ratio*” is also provided for a proportionate comparison between years:

FIGURE #6: LESS-LETHAL INCIDENTS VS. USES IN RESPONSE TO RESISTANCE

5-YEAR COMPARISON:	2017	2018	2019	2020	2021	2022
Total Arrests	13,079	10,488	9,370	6,459	6,400	6,930
Total Less-Lethal Incidents	116	83	63	66	50	48
Total Uses of Force (Responses to Resistance)	138	160	129	152	134	181
<i>Average Uses of Force per Incident (Ratio)</i>	1.2	1.9	2.0	2.3	2.7	3.8
Average Uses of Force per Arrest (Ratio)	.011	.015	.014	.023	.021	.026

Analysis of the above chart shows that while the number of less-lethal force incidents show a trending decline of 45.7% from 2017 – 2019, in 2020 less-lethal incidents increased 4.8% when compared to the previous year. In 2021, the number of less-lethal incidents decreased 24.2% from 2020 and in 2022 decreased 4.0% from 2021. The average uses of force per incident ratio from 2017 through 2022 shows an upward trend in subject’s resistance and failure to comply with lawful commands given by deputies. The average use of force per arrest ratio shows a trending increase of 109.1% from 2017- 2020, then an 8.7% decline in 2021. In the calendar year 2022, the average uses of force per arrest ratio shows a 23.8% increase from 2021 which may be attributed to the upward trend in subjects’ resistance and the number of armed subjects.

This consistent application of force regardless of the spikes and fluctuations in incidents over each of the 6 years may be attributed in part to the agency’s commitment to scenario-based training with emphasis on professional and effective command presence, swift control of the situation and subsequent de-escalation on the part of the Deputies.

MULTIPLE-DEPUTY RESPONSE:

Of the 48 incidents responded to by the agency, 25 incidents (52%) required a combination of *multiple-deputy* response and accounted for 145 of the 181 uses (80%) of less-lethal force:

- 2-Deputy response = 13 incidents (27%); 50 uses (28%)
- 3-Deputy response = 10 incidents (21%); 64 uses (35%)
- 4-Deputy response = 2 incidents (4%); 31 uses (17%)

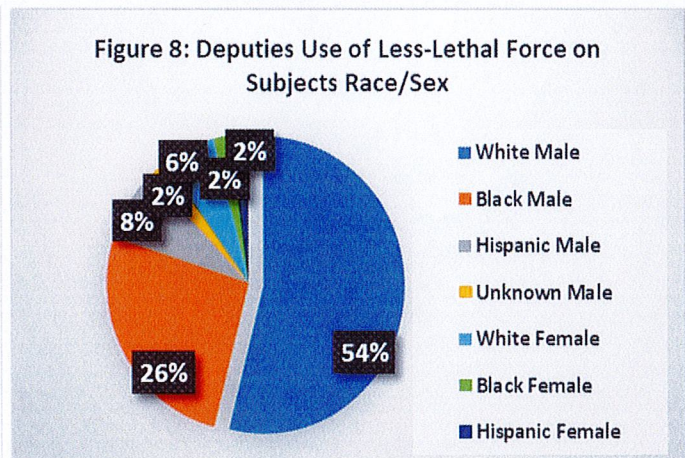
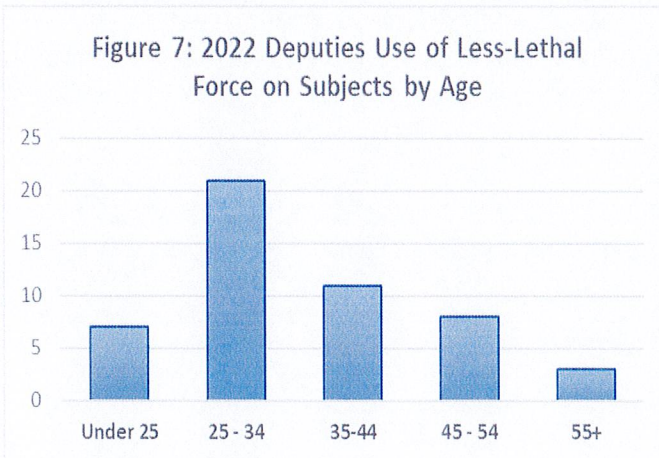
SINGLE-DEPUTY RESPONSE:

The remaining 23 incidents (48%) required single deputy response to resistance and accounted for 36 uses (20%) of less-lethal force.

RACE, GENDER AND AGE OF SUBJECTS IN LESS-LETHAL USE OF FORCE INCIDENTS

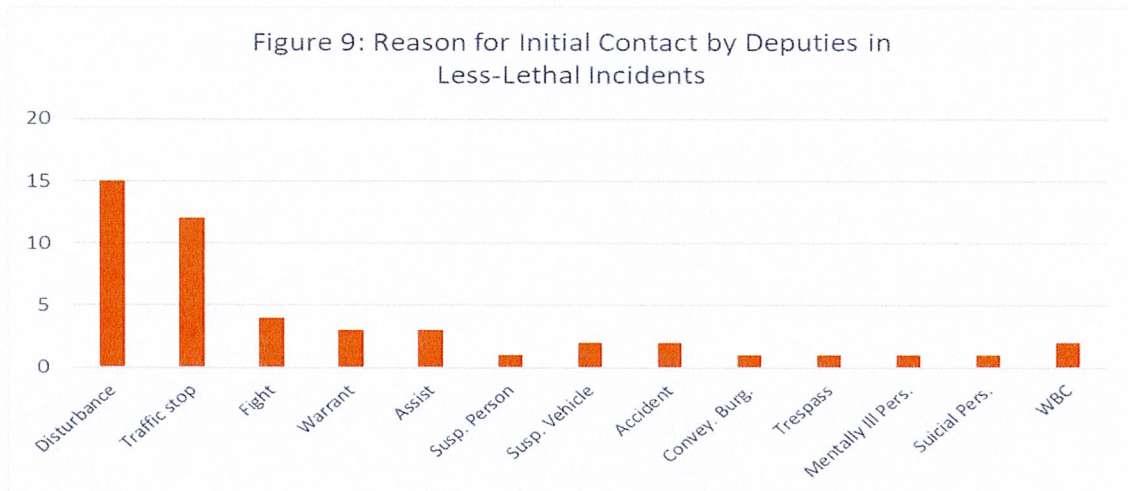
Deputies utilized less-lethal force in response to resistance on 50 subjects. Of the 50 subjects, 45 are male - (90%) and five (5) are female - (10%); 27 Caucasian males - (54%), 13 African American males - (26%), four (4) Hispanic males - (8%), one (1) unknown male - (2%), three (3) Caucasian females - (6%), one (1) African American female - (2%), and one (1) Hispanic female - (2%).

The subjects' ages in less-lethal use of force are: 7 subjects under the age of 25 - (14%), 21 subjects between 25 - 34 years of age - (42%), 11 subjects between the ages of 35-44 (22%), 8 subjects between 45-54 years of age - (16%), and 3 subjects are 55 years of age or older - (6%).



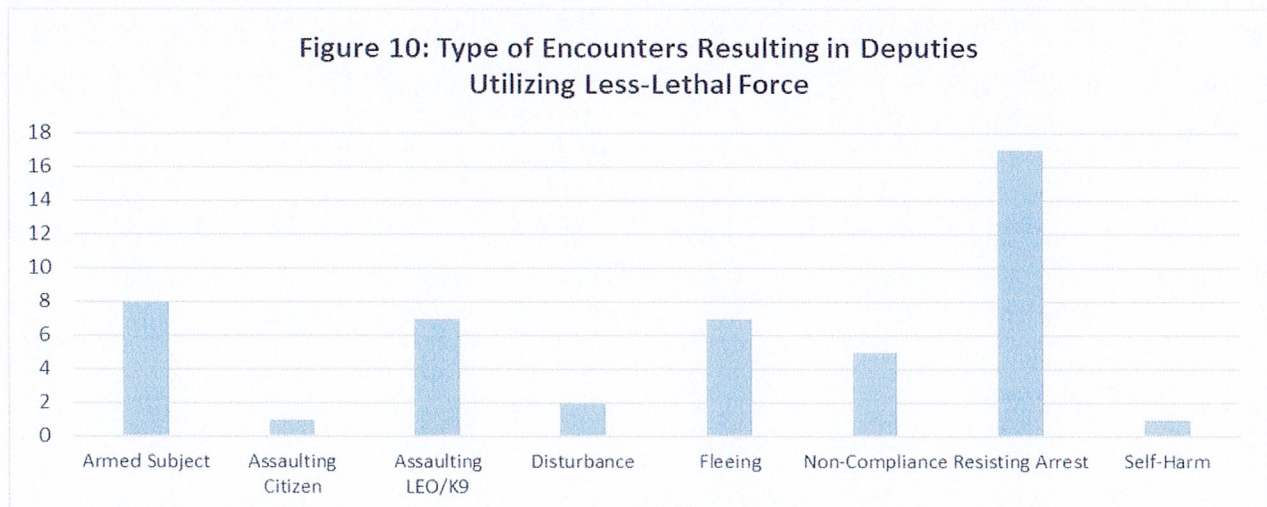
REASON FOR INITIAL CONTACT BY DEPUTY IN LESS-LETHAL FORCE INCIDENTS

Deputies responded to the following calls for service that resulted in Deputies utilizing less-lethal force: three (3) assisting other agencies (6.2%), four (4) fights (8.3%), one (1) conveyance burglary (2.1%), two (2) accidents (4.2%), 15 disturbances/domestic disturbances (31.2%), one (1) mentally ill person (2.1%), one (1) suicidal person (2.1%), one (1) suspicious person (2.1%), two (2) suspicious vehicles (2.1%), and one (1) trespasser (2.1%). Deputies conducted 12 traffic stops (25.0%), served three (3) warrants (6.2%), and conducted two (2) well-being checks (4.2%).



TYPES OF ENCOUNTERS RESULTING IN DEPUTY UTILIZING LESS-LETHAL FORCE

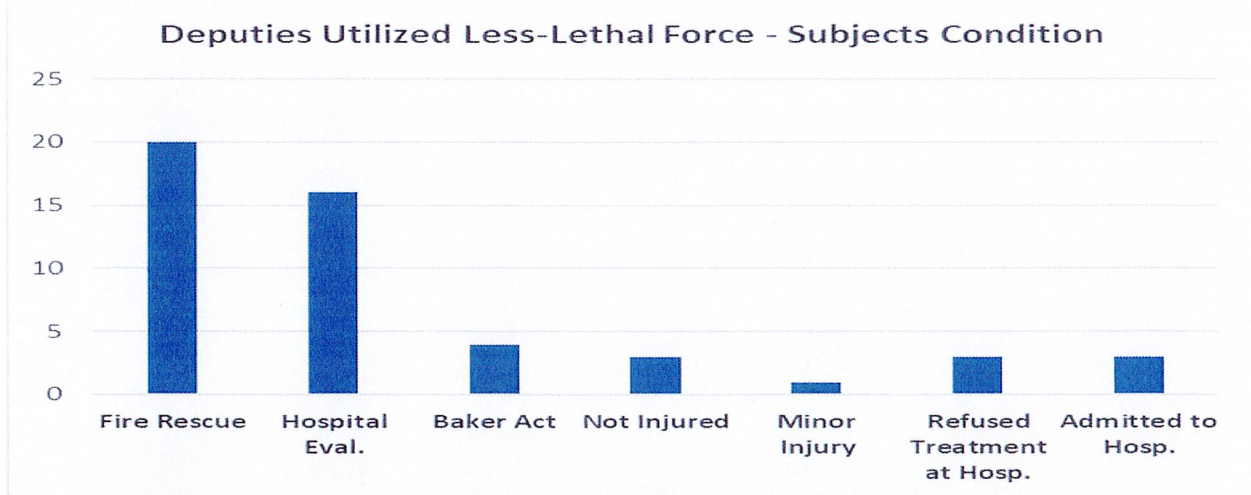
During 2022, the types of encounters resulting in Deputies utilizing less-lethal force were: 8 armed subjects – (17%), one (1) assaulting a citizen - (2%), seven (7) assaulting a LEO/K9 - (15%), two (2) disturbances - (4%), seven (7) fleeing - (15%), five (5) non-compliance – (10%), 17 resisting arrest – (35%), and one (1) involving self-harm – (2%). Two additional subjects were also attempting self-harm (one (1) armed subject and one (1) subject that also assaulted a Deputy).



DEPUTY UTILIZED LESS-LETHAL FORCE – RESPONSE TO SUBJECT RESISTANCE

Of the 50 subjects where Deputies responded to resistance with less-lethal force, the following summarizes the subjects’ injury/condition: three (3) subjects were not injured (6.0%); one (1) subject had minor injuries not requiring EMS (2.0%); 20 subjects were treated/released by EMS or Fire Rescue (40.0%); one (1) subject refused further treatment at hospital (2.0%); two (2) subjects refused treatment by Fire Rescue (4.0%); 16 subjects were evaluated at a hospital (32.0%); three (3) subjects were admitted to the hospital (6.0%); and four (4) subjects were admitted to the hospital as a Baker Act (8.0%).

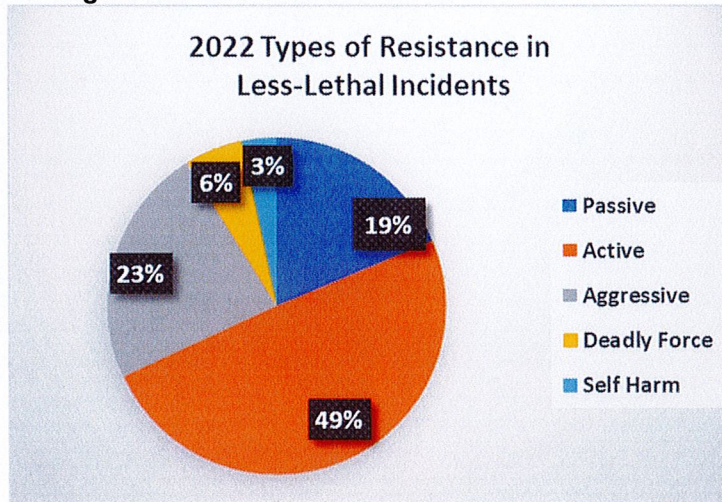
Figure 11:



TYPE OF RESISTANCE DEPUTIES ENCOUNTERED IN LESS-LETHAL FORCE INCIDENTS

During the calendar year 2022, Deputies responded to 48 different incidents that required use of less-lethal force in response to subjects’ resistance. In 30 of these incidents, Deputies utilized less-lethal force in response to more than one level of resistance or 62% of the 48 incidents. The subjects’ resistance in the 30 incidents were active resistance – 45 (49%), aggressive resistance – 21 (23%), passive resistance – 17 (19%), deadly force/life threat to others – 5 (6%), and self-harm – 3 (3%).

Figure 12:



In the 30 incidents where the subjects resisted deputies in more than one type of resistance, the nature of call was: assist LEO/FD – 2 (6.7%), car break – 1 (3.3%), disturbance/domestic disturbance – 14 (46.7%), fight – 3 (10.0%), motor vehicle crash – 1 (3.3%), suicidal person – 1 (3.3%), suspicious vehicle – 1 (3.3%), traffic stop – 4 (13.3%), trespassers – 1 (3.3%), warrant attempt – 1 (3.3%), and a well-being check – 1 (3.3%).

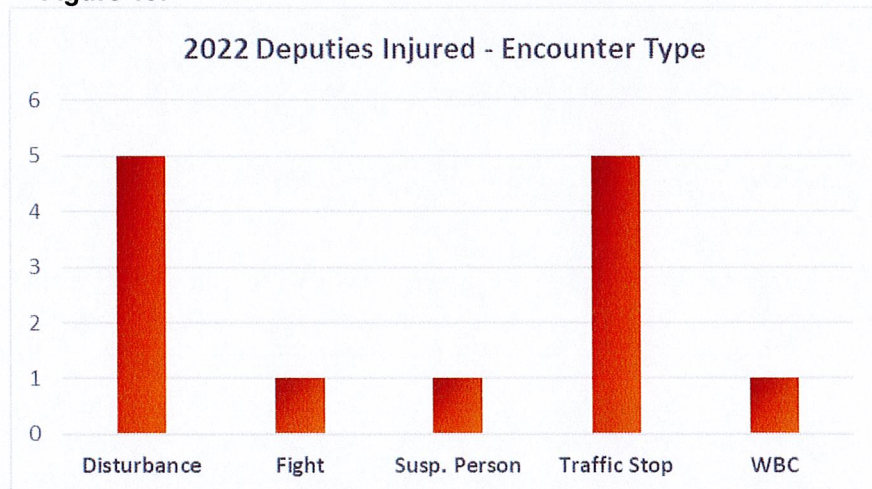
DEPUTIES INJURED IN ENCOUNTERS WHERE LESS-LETHAL FORCE UTILIZED

In the 48 incidents where Deputies utilized less-lethal force, 13 Deputies were injured (15%). Fire / Rescue treated six (6) Deputies on scene (7%); five (5) Deputies did not require or refused medical services (6%); two (2) Deputies required evaluation at the hospital (2%); 75 deputies were not injured (85%).

Of the 50 subjects where Deputies used less-lethal force, 29 subjects were chemically impaired or suspected of being under the influence of either drugs or alcohol (58%), and in four (4) incidents, subjects were having a mental health crisis (8%).

One (1) Deputy responded to a fight (7.7%), five (5) Deputies responded to a disturbance (38.5%), one (1) Deputy responded to a suspicious person (7.7%), five (5) Deputies responded to a traffic stop (38.5%), and one (1) Deputy responded for a well-being check (7.7%).

Figure 13:



RACE, GENDER & AGE OF DEPUTIES INJURED IN LESS-LETHAL FORCE ENCOUNTERS

The breakdown of the Deputies injured is ten (10) Caucasian males (76.9%), two (2) African American males (15.4%), and one (1) Caucasian female (7.7%). The ages of the injured Deputies are: five (5) Deputies were between the ages of 25 – 34 (38.4%), five (5) Deputies were between the ages of 35 – 44 (38.4%), one (1) Deputy was between the ages of 45 – 54 (7.7%), one (1) Deputy was 55 years of age or older (7.7%), and one (1) Deputy was under 25 years of age (7.7%).

Figure 14:

2022 Race/Gender of Deputies Injured in Less-Lethal Incidents

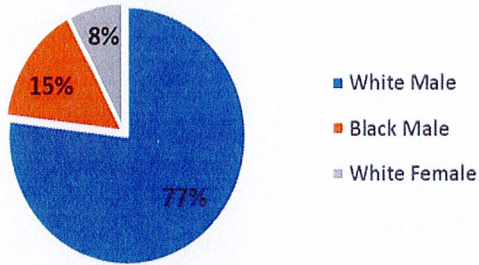
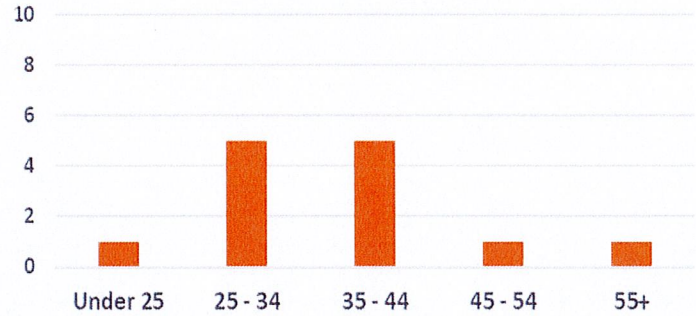


Figure 15:

2022 Age of Deputies Injured in Less-Lethal Incidents

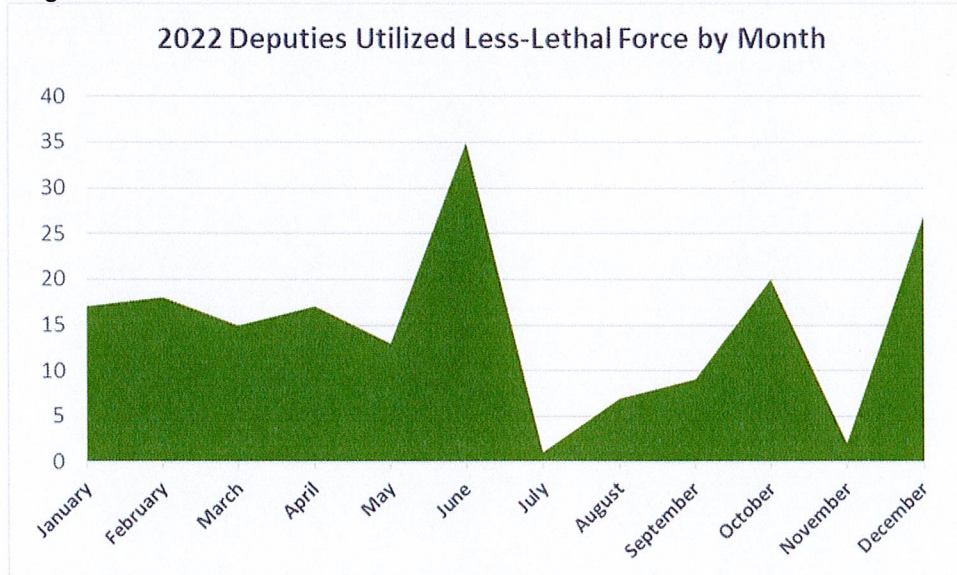


DATE AND TIME LESS-LETHAL FORCE UTILIZED

Deputies utilized less-lethal force on subjects: 17 times in January (9.4%), 18 times in February (9.9%), 15 times in March (8.3%), 17 times in April (9.4%), 13 times in May (7.2%), 35 times in June (19.3%), one (1) time in July (0.6%), 7 times in August (3.9%), 9 times in September (5.0%), 20 times in October (11.0%), 2 times in November (1.1%), and 27 times in December (14.9%).

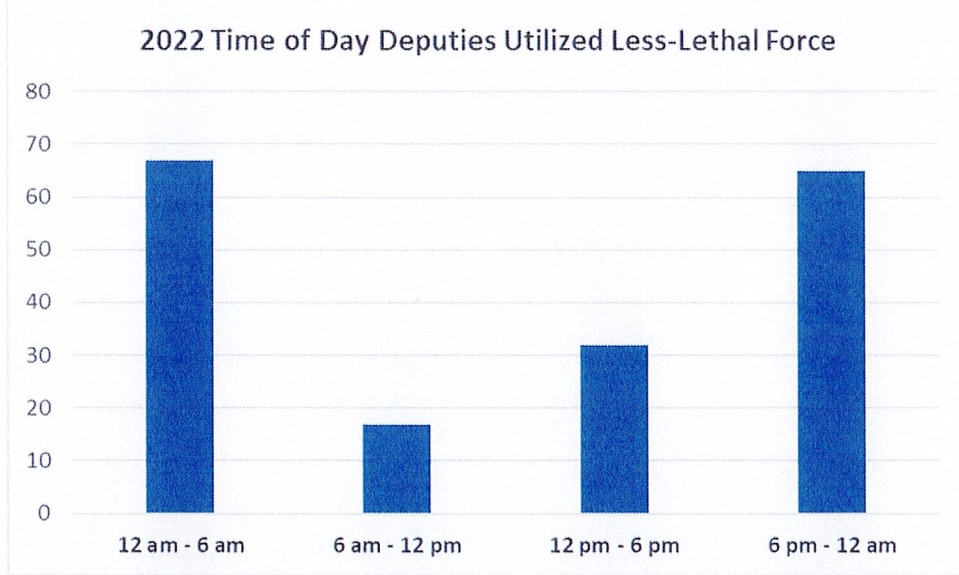
Figure 16:

2022 Deputies Utilized Less-Lethal Force by Month



Of the 181 uses of less-lethal force, 67 uses occurred between 12 am – 6 am (37.0%), 17 uses occurred between 6 am – 12 pm (9.4%), 32 uses occurred between 12 pm – 6 pm (17.7%), and 65 uses occurred between 6 pm -12 am (35.9%).

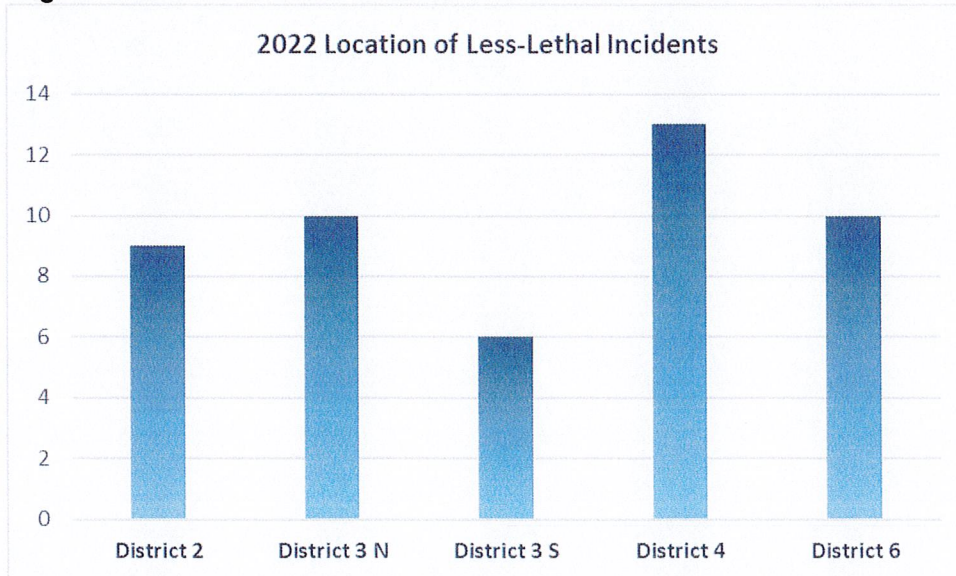
Figure 17:



LOCATION OF LESS-LETHAL INCIDENTS

Of the 48 incidents of less-lethal force, 9 incidents occurred in District 2 (19%), 10 incidents in District 3 N (21%), 6 incidents in District 3 S (12%), 13 incidents in District 4 (27%), and 10 incidents in District 6 (21%).

Figure 18:



2022 REVIEW OF USE OF FORCE POLICY AND PRACTICES:

Volusia Sheriff's Office Training Academy modified and streamlined its Deputy Training Officer (DTO program to increase efficiency in training new Deputies).

During the calendar year 2022, the Volusia Sheriff's Office Training Academy trained 18 new Deputy Recruits who successfully completed the Basic Law Enforcement Training and passed the state exam.

Statistical data of index crime and number of arrests indicate dramatic reduction in both since 2017, however, in 2020 the number of use of force incidents and the number of deputies assaulted both increased slightly. In 2021, the use of force incidents decreased 21.7% when compared to 2020 and in 2022, the use of force incidents decreased 11.1% from 2021. The number of Deputies assaulted in 2021 also declined 23.2% from 2020. The number of Deputies assaulted in 2022 remained the same as in 2021.

Since implementing the new training model beginning in 2017, and with continued emphasis and investment in the Guardian and de-escalation philosophies, the agency has seen a 61% decrease in the use of force incidents from 2017 overall, and zero (0) deadly force incidents occurred in 2022, a 100% decrease from 2017.

In April 2022, the agency revised General Order 001-01 Use of Force Guidelines changing the general order to: "Specific Prohibitions – Deputies shall not use force or any objects to clear or inspect the mouth of a detained or arrested subject. This is not applicable to subjects in medical distress who are choking or pursuant to a court order."

Proactive promotion of the agency engaging with the community and the reduction in crime continues to build trust and new partnerships with the community. This investment in the community is vital to engaging all segments of the community and especially crucial when highly emotional incidents/events occur. Social media as a tool continues to raise awareness and open doors for future opportunities.

- PURSUIT ANALYSIS ON FOLLOWING PAGE -

FIGURE #19: PURSUIT MATRIX

Incident	Date / Time	Reason for Pursuit	Method of Termination	Result in Crash	Injuries/Hospital	Avg/Max mph	Total Distance miles/time	Violator Eluded/Arrested	Within Policy
22-0083 VP 22-001	1/2/22 16:52	Asst. OBPD w/armed robbery	Suspect stopped vehicle	No	Yes hospital - removal of probe in eyebrow & K9 bite	30 mph / 40 mph	2.5 miles / 5 minutes	Yes / Yes	Yes
22-1363 VP 22-002	1/21/22 10:49	Asst. BCSD false imprisonment	Turned over to FHP	No	No	85 mph / 104 mph	Approx. 15 miles / 10 minutes	Yes / Yes	Yes
22-17230 VP 22-004	9/7/22 03:11	Stabbing – Agg. battery	Defendant stopped vehicle on I-4 ramp	No	Victim injured from stabbing in hand	80 / 85 mph	2.9 miles / 5 minutes	Yes / Yes	Yes
22-24021 VP 22-005	12/20/22 01:41	Armed robbery	Defendant stopped vehicle due to deflated tires	No	No	40 / 50 mph	4.5 miles / 9 minutes	Yes / Yes	Yes
22-22441 MVA 22-021	11/26/22 03:28	TS – stolen vehicle	Defendant pulled vehicle into median due to deflated tires	No	No	82 / 93 mph	2.1-5 miles / 4.5 minutes	Yes / Yes	No, not authorized GO-041-02 V.B.4.C
23-0004 MVA 22-024	12/31/22 23:33	TS - stolen vehicle	Defendant stopped vehicle due to three deflated tires	No	No	81 / 84 mph 77 / 79 mph 75 / 76 mph	1.5 miles / 1 minute	Yes / Yes	No, not authorized GO-041-02 V.B.4.C

PURSUIT REVIEW:

There were six (6) pursuits during 2022; supervisory and administrative reviews were well-documented providing good detail. Two (2) of the six (6) pursuits were initiated to assist other agencies (33%).

Upon administrative review, all pursuits were justified except for MVA 22-021 and MVA 22-024, where several Deputies initiated pursuits without their supervisor’s approval; supervisors only approved stop sticks. After review by Internal Affairs and Supervisor Inquiries, the Deputies received discipline based on their discipline history (letter of reprimand or suspension), and remedial training on VSO General Order 041-02 Motor Vehicle Apprehensions.

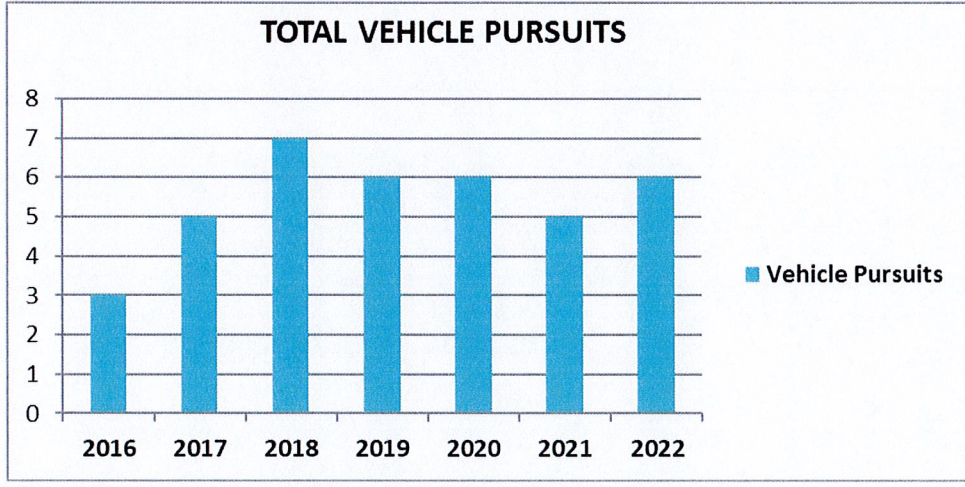
Stop Sticks - During 2022, Deputies deployed stop sticks eight (8) times in support of planned tactical measures to terminate pursuits. In three (3) of the six (6) pursuits or 50%, Deputies successfully deployed stop sticks terminating the pursuits, with two (2) ending because the suspects stopped their vehicles, and one (1) pursuit entered St. John's County and FHP concluded the pursuit by utilizing a PIT maneuver.

NOTE: Deputies also utilized 43 additional stop sticks in motor vehicle apprehensions/stop stick deployments to **prevent** escalation/engaging in active pursuits. Deputies deployed stop sticks in 36 incidents successfully preventing pursuits in 30 incidents (83%).

The below 7-year trend line 2016 - 2022 indicates an average of 5.4 pursuits/year.

Historical review for this period 2016 – 2022 reflects that of the 38 pursuits, 8 (21%) were found not in compliance with established policy.

FIGURE #20: SEVEN-YEAR PURSUIT TREND



REVIEW OF PURSUIT POLICY AND PRACTICES:

Review of agency policy and practices indicates good use of additional resources such as Air One, K-9 and support vehicles. Primary and support vehicles are functioning in their proper roles.



The agency trains all sworn officers in emergency vehicle operations, roadblocks and stop sticks. Only Deputies, who have demonstrated PIT proficiency after receiving competency-based training from PIT certified driving instructors, are authorized to initiate the technique.

Supervisory and administrative reviews are being conducted and documented in accordance with policy and are forwarded through chain-of-command. As with all incidents involving pursuits, Command Staff conducts final review for justification and policy adherence as presented by Internal Affairs.

In addition to review of all pursuits, the agency conducts administrative reviews through chain of command on all motor vehicle apprehensions/followings as a precautionary measure to ensure established procedures are being followed and that law enforcement response does not elevate to "pursuit mode" in violation of policy. This review facilitates the early detection of potential training needs, ensures continued deputy safety, and preserves the intent of policy and integrity of practice. Documented progressive discipline is utilized when needed.

Overall, the combination of strict pursuit guidelines, training, supervisory authorization and review, and professional deputy restraint continue to keep the number of pursuits to minimum numbers. In addition, the supervisory authorization, and the review process itself adds a level of accountability and an evaluation element to each incident, which re-enforces the practice of individual professional restraint. This review process also provides a means to address any policy issues in a timely manner to ensure that practice continues to reflect procedure; no change to policy was required during this review period.

Professional Compliance Unit
April 2023

Cc: Chief Deputy Brian Henderson 
Division Chief Louis Marino
Assistant Chief Eric Westfall 
Captain Brian Bosco
Lt. Patrick Leahy 