



OFFICE OF PROFESSIONAL RESPONSIBILITY
CY2022 ANNUAL USE OF FORCE REPORT

COMMANDER'S MESSAGE

It is the policy of the United States Capitol Police to allow officers to use only the level of force that is objectively reasonable to effectively accomplish their lawful duties (bring a subject under control), while protecting the lives of officers and others.

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of the Department and the jurisdiction that provides this authority.

As an ever-evolving learning institution, the United States Capitol Police strives to better itself and provide the highest quality of policing and public safety services.

It is for this reason that Department policy requires that all uses of force be reported to ensure transparency, integrity, and competence in our operations. These policy requirements are an important element of the Department's ongoing commitment toward accuracy and accountability in its use of force reporting.

The Office of Professional Responsibility thoroughly reviews, assesses, and investigates the objective reasonableness and reported use of Cooperative Controls, Contact Controls, Compliance Techniques, Defensive Tactics, and Lethal Force. The goal of these reviews is to verify and validate that the reported level of force was conducted within an authorized means, an authorized use, and was conducted within Department's Use of Force policy. These assessments also include a review to ensure that the level of force reported was not prohibitive in nature; that appropriate medical care was provided; and identified whether any additional training or qualification/certification is required.



Inspector Michael A. Spochart
Commander, Office of
Professional Responsibility

Executive Summary

The Department's Use of Force policy requires officers to complete a Use of Force report when any of the following incidents occur:

- The discharge of firearm for other than training.
- Action that results in, or is alleged to have resulted in, injury or death of another person.
- The shooting of an injured or dangerous animal.
- The application of force through the use of lethal or less-lethal weapons.
- The application of weaponless physical force that results in, or is alleged to have resulted in injury or death of another person (to include firearm discharges).
- Unintentional firearm discharges, which must also be documented in an Office of Professional Responsibility report of investigation.
- The withdrawal of a weapon from its holster, and/or pointing a weapon (including a firearm) at an individual or animal.
- Any use of force greater than and including empty-hand control techniques.

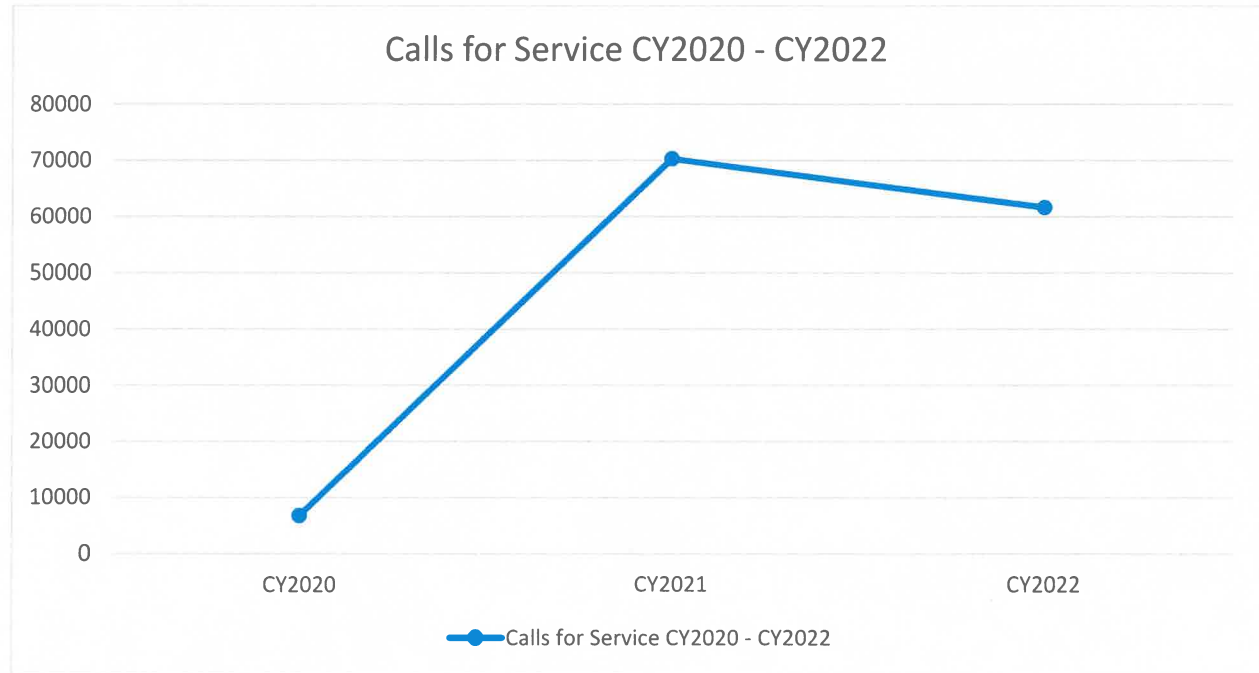
These policy requirements are an important element of the Department's ongoing commitment to transparency and accountability in its use of force reporting.

The Office of Professional Responsibility has reviewed all reported Use of Force forms submitted during calendar year 2022 and have identified that the Department experienced 72 scenes where officers used a level of force in response to a subject's resistance, as compared 66 scenes in calendar year 2021. Overall, 166 officers were involved in the calendar year 2022 scenes and were found to be in compliance with the Department's Use of Force reporting requirement.

Analysis

Figure 1.

Number of USCP (Agency-wide) Calls for Service from calendar year 2020, 2021, and 2022.

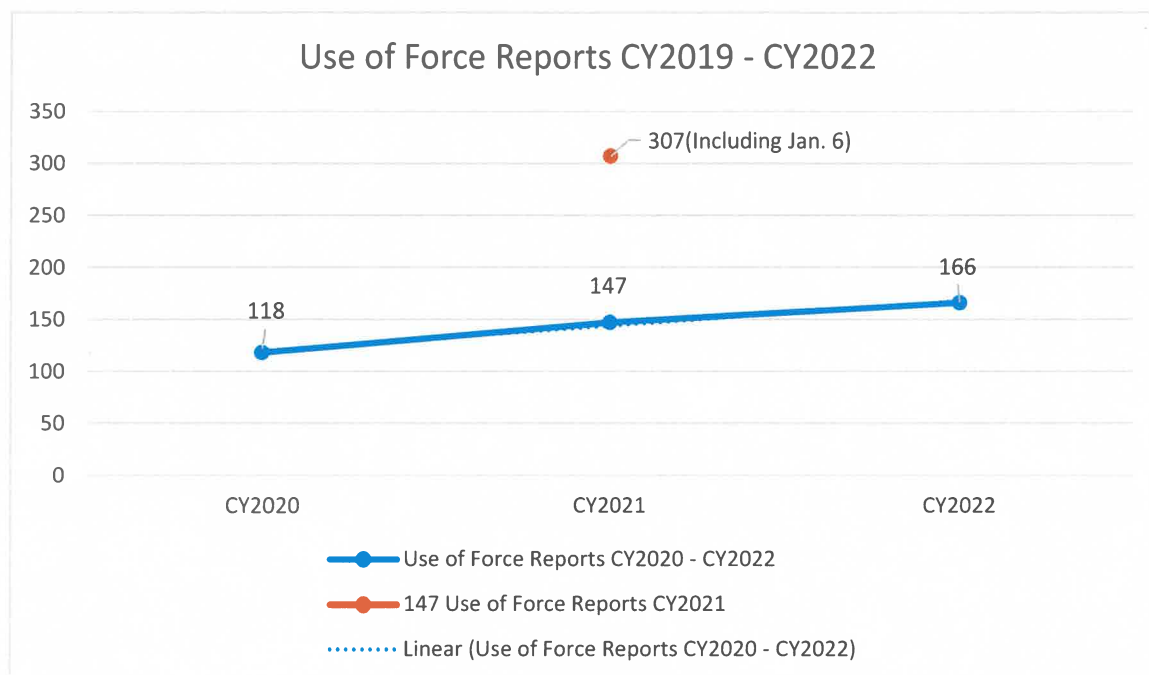


The data in the above chart reflects an overall increase for the calls for service conducted by the United States Capitol Police between calendar years 2020 through 2022. During calendar year 2020, the Department experienced 6,762 calls for service, however, it should be noted that the COVID-19 pandemic occurred during 2020. The impact of the pandemic reduced calls for service due to social distancing mandates and members of the public remaining within the confines of their residences. The Department experienced 70,252 calls for service during calendar year 2021 and 61,628 calls for service during calendar year 2022. Note: This information was verified by our Communications Division and was consistently reported in the Department's Strategic Plan.

Absent the anomaly (2020 COVID-19 pandemic), the data depicts a -14% downward trend for calls for service as compared between calendar years 2021 and 2022.

Figure 2.

Number of Use of Force Reports from calendar year 2020 through calendar year 2022.



Note: The Office of Professional Responsibility's calendar year 2021 Annual Use of Force Report (submitted January 2022) identified 305 use of force reports being completed. However, a more recent review of 2021 data revealed that 307 use of force reports were actually received.

Note: 160 of the 307 reports received in calendar year 2021 were directly attributed to the January 6, 2021, Insurrection (anomaly). In order to showcase a better representation of a four-year trend analysis (absent the anomaly), 147 use of force reports received in CY2021 are depicted in the above diagram. The blue dotted linear line in the chart depicts an upward trend line between calendar years 2019 and 2022.

The data depicts that 118 Use of Force reports were received by the Office of Professional Responsibility during calendar year 2020, 147 (absent COVID-19 pandemic anomaly) Use of Force reports were received during calendar year 2021, and 166 Use of Force reports were received during calendar year 2022.

Overall, the data identifies a constant upward trend (+29% rate) of use of force reporting between calendar years 2020 and 2022. In comparison to the previous year, calendar year 2022 resulted in an increase of use of force reporting at a rate of +11% as compared to the previous year (2021).

Figure 3.

Number of Calls for Service and Use of Force Reports in calendar year 2020, 2021, and 2022

Category	CY2020	CY2021	CY2022	% Change CY21-22
Calls for Service	6,762	70,252	61,628	-12%
Use of Force Reports	118	*307/147	166	*-46%/+13%

**160 of the use of force reports received by the Office of Professional Responsibility in 2021 were directly attributed to the January 6, 2021, Insurrection.*

The data indicates use of force being used in only 0.003% of the calls for service made in 2022, compared to the 0.004% of the calls for service recorded in 2021. The data also indicates that both the incidence rate of the use of force and the calls for service have dropped in comparison to 2021. However, removing the January 6, 2021, Insurrection, only 145 use of force reports were received during calendar year 2021, which in comparison to calendar year 2022 revealed an increase of +13%.

USE OF FORCE-RELATED INCIDENTS

In 2022, there were 166 use of force reports reviewed by the Office of Professional Responsibility, compared to 147 (absent the January 6 anomaly) use of force reports received in 2021. Through data analysis, the Office of Professional Responsibility has confirmed that the Department experienced 72 use of force incidents/scenes where a level of force or means of force was used in calendar year 2022. A review of the data indicated that some incidents/scenes experienced multiple officers using force, resulting in a higher number of use of force reports being generated when compared to the number of use of force incidents on record.

A review of the data received during calendar year 2022 identified that the 72 incidents/scenes occurred when officers stopped pedestrians (as they were wanted individuals, armed individuals, pedestrians fighting, combative individuals, or fleeing felons) and initiated traffic stops (when pursuing wanted felons and suspected stolen vehicles, which resulted in officers enacting felony traffic stops and withdrawing their firearm from the holster and pointing it at individuals in order to make apprehension.

Further, a review of the 166 use of force reports received during calendar year 2022 revealed zero instances where excessive use of force was alleged or further investigation was warranted as the actions were just, legal, proper, and in accordance with both law and policy.

FREQUENCY OF OCCURRENCE

Figure 4.

2022 Use of Force Incidents by Month, Day of Week, and Time of Day.

Month		Day of Week		Time of Day	
January	21	Sunday	15	2300-0700 hours	31
February	5	Monday	37	0700-1500 hours	53
March	3	Tuesday	32	1500-2300 hours	82
April	12	Wednesday	32		
May	10	Thursday	27		
June	4	Friday	12		
July	36	Saturday	11		
August	21				
September	24				
October	12				
November	16				
December	2				

In 2022, the months of July (22%) and September (15%) reported the highest number of incidents in which force was used in response to resistance. December (1%) and March (2%) reported the fewest incidents. The remaining months had an average of 12.6 incidents per month.

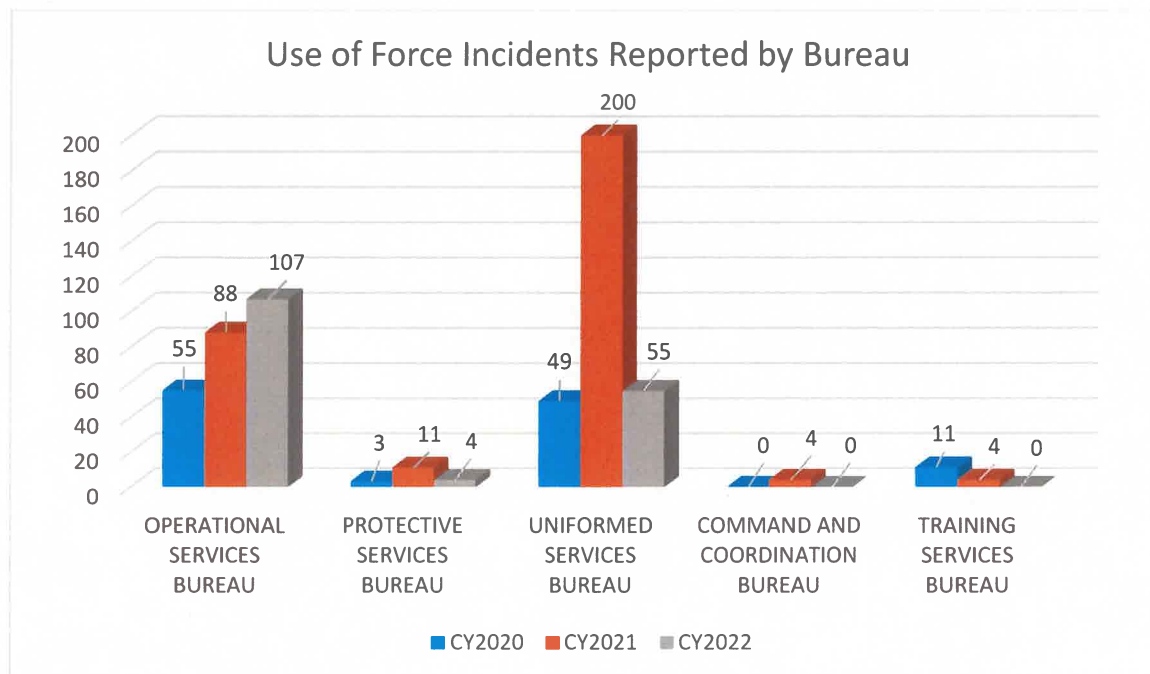
The data shows that in 2022, incidents involving force in response to resistance occurred consistently throughout most days of the week, with Mondays reporting the most incidents at 22% and Saturdays reporting the fewest incidents at 7%.

There is an identified trend in that the rate of incidents of force occurrence steadily increased through the midnight (2300-0700 hours; at 19%) and day work (0700-1500 hours; at 32%) tours of duty, and peaked during the afternoon/evening hours (1500-2300 hours; 49%). This trend is similar to all calls for service that occurs throughout the day (confirmed by USCP Communications).

USE OF FORCE INCIDENTS REPORTED BY BUREAU

Figure 5.

Use of Force Reports by Assigned Bureau for 2020, 2021, and 2022



Calendar year 2022 data revealed that the Operational Services Bureau reported 107 incidents, the Protective Services Bureau reported 4 incidents, and the Uniformed Services Bureau reported 55 incidents. In total, 166 incidents were received and reviewed during calendar year 2022.

The data shows that most of the reported use of force incidents in calendar years 2020 through 2022 occurred in the Operational Services Bureau and the Uniformed Services Bureau. In 2022, use of force incidents reported in the Operational Services Bureau and the Uniformed Services Bureau comprised of 98% of the use of force incidents reported, which was also nearly the case in 2021 at 94%.

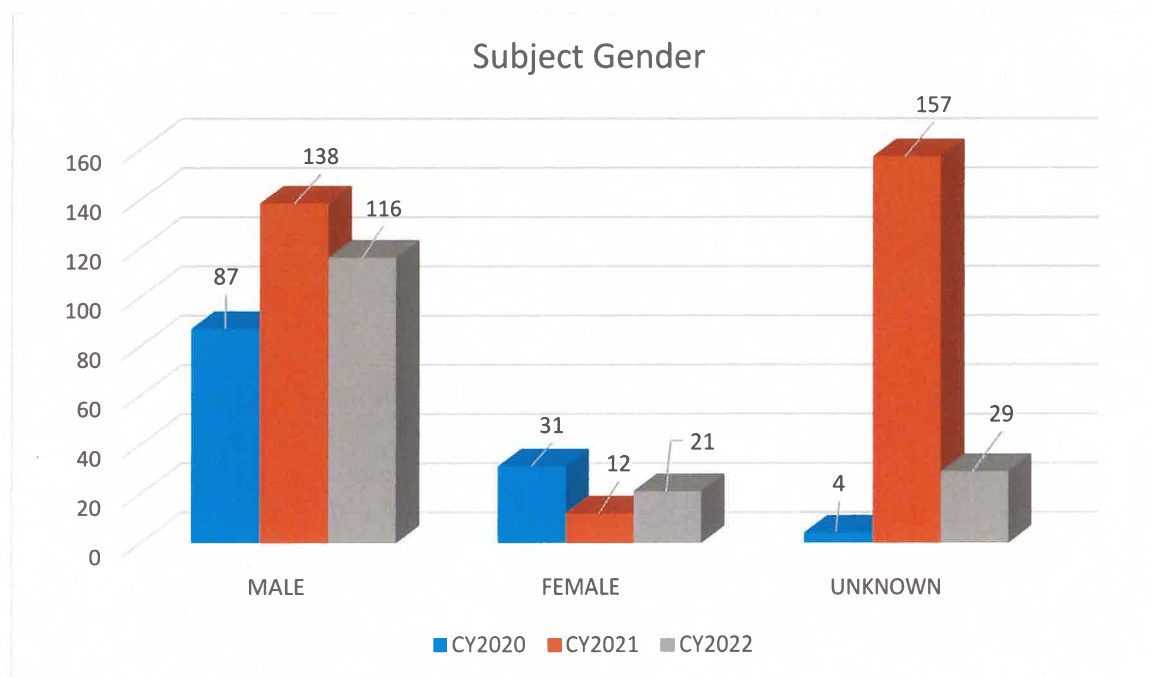
The data depicted is consistent with the operational bureaus who primarily respond to all calls for service and enact stops or arrests.

DEMOGRAPHICS OF SUBJECTS ON WHOM FORCE WAS USED

The Department's Use of Force reporting includes capturing data on the demographics of subjects on whom force was used. Specifically, the Department attempts to identify whether subjects categorize themselves as male, female, or other/unknown. Commencing in 2023, the additional categories of non-binary, transgender (MTF/FTM), gender questioning, and other will be added.

Figure 6.

Gender of Subjects Involved in Use of Force Incidents During 2020, 2021, and 2022



The Subject Gender category in calendar year 2022 involved 116 males, 21 females, and 29 gender unknown. In total, 166 genders were reported.

The data indicates that there was a decrease of -6% in the overall percentages of male subjects involved in use of force incidents in 2022 compared to 2021. Conversely, the data depicts a +43% in the overall percentages of female subjects involved in use of force incidents in 2022 compared to 2021.

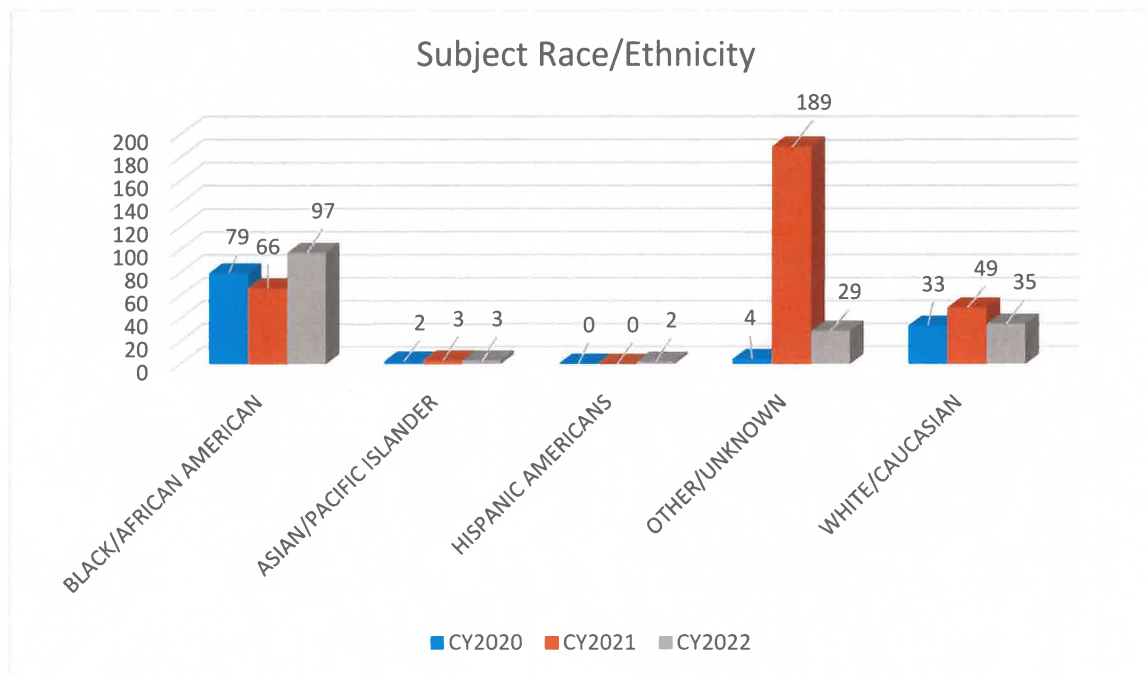
The Subject Gender category of Unknown produced a decrease -85% decrease in the number of subjects in 2022 compared to the previous year. Calendar year 2021 resulted in 160 of the use of force reports being directly attributed to the January 6, 2021, Insurrection. A vast majority of those reports (157) in calendar year 2021 revealed the reporting of Unknown Subjects involved in a use of force incident because no arrests were made on January 6, during the Insurrection.

In comparison over all Subject Genders, the overwhelming majority of the subjects involved in use of force incidents in 2022 (70%) were male.

RACE AND ETHNICITY OF SUBJECTS INVOLVED IN USE OF FORCE INCIDENTS

Figure 7.

Race and Ethnicity of Subjects Involved in Use of Force Incidents During 2020, 2021, and 2022



During calendar year 2022, officers reported using force in response to resistance on 97 Black/African Americans, 3 Asian/Pacific Islanders, 2 Hispanic Americans, 29 Other/Unknown individuals, and 35 White/Caucasians. In total, 166 race/ethnicities were reported.

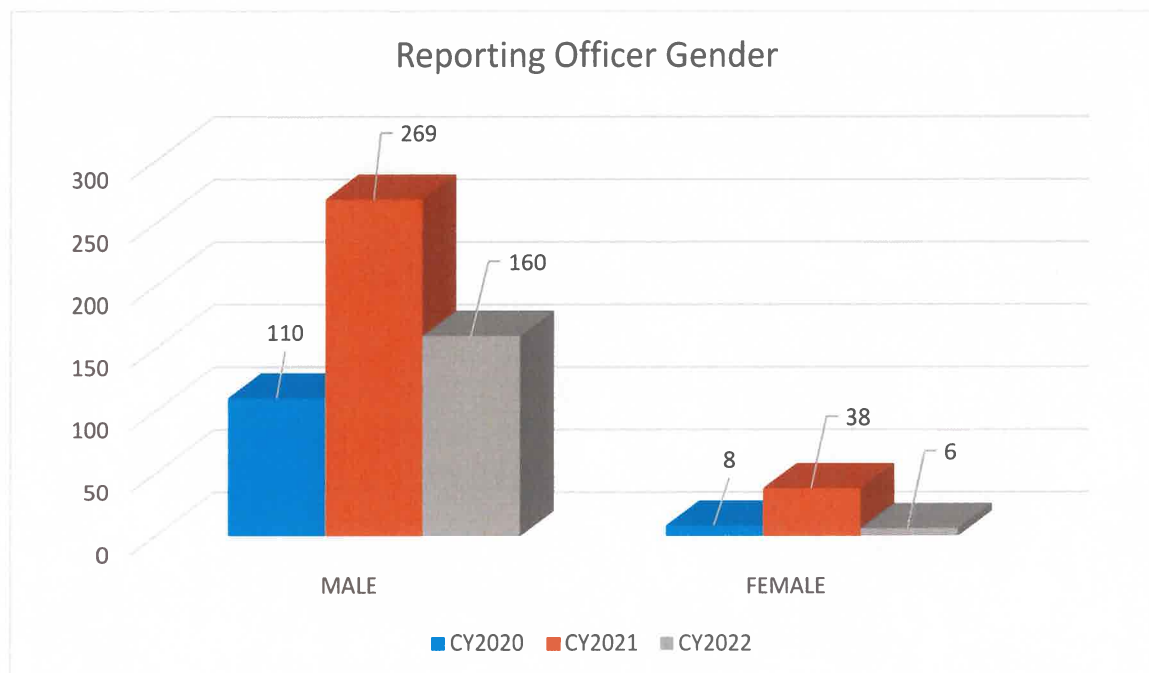
A review of the 2022 data revealed that Black/African American individuals were involved in 58% of the reported use of force incidents, Asian/Pacific Islander were involved in 2% of incidents, Hispanic Americans were involved in 1% of the reported use of force incidents, Other/Unknown race/ethnicity were involved in 18% of incidents, and White/Caucasian were involved in 21% of incidents.

DEMOGRAPHICS OF REPORTING OFFICERS

OFFICER GENDER INVOLVED IN USE OF FORCE INCIDENTS

Figure 8.

Gender of Officers Involved in Use of Force Incidents During 2020, 2021, and 2022



During calendar year 2022, the Use of Force form only contained two categories (male and female) for officer gender selection. Commencing in 2023, the additional categories of non-binary, transgender (MTF/FTM), gender questioning, and other have been added.

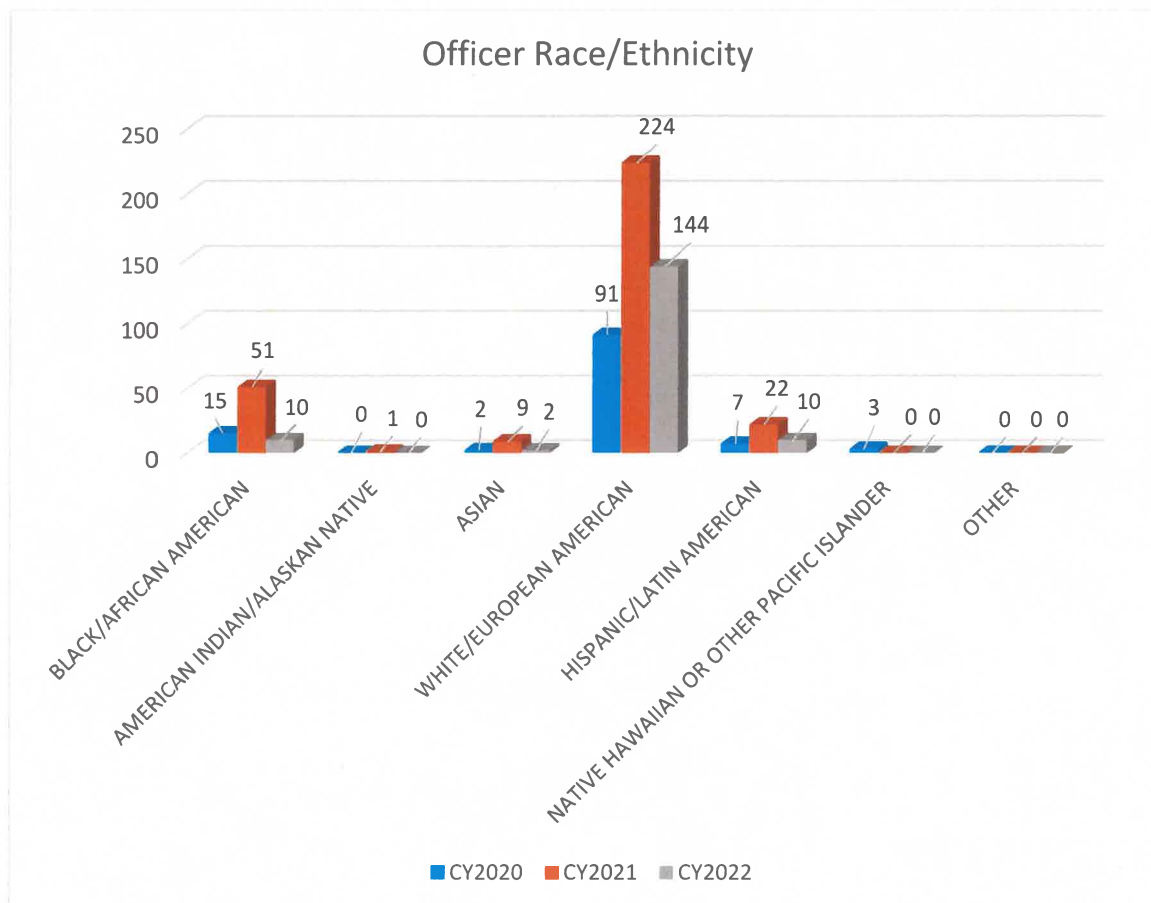
Calendar year 2022 resulted in 160 Male Officers and 6 Female Officers being involved in use of force incidents. In total, 166 officer genders were reported.

The data shows that in 2022, there was a -40% decrease in the number of male officers reported involved in use of force incidents and a -84% decrease in the number of female officers compared to the previous year. It should be noted that use of force incidents can involve more than one officer, the data shown in the chart reflects only the gender of the reporting officer for all incidents reported.

OFFICER RACE AND ETHNICITY INVOLVED IN USE OF FORCE INCIDENTS

Figure 9.

Race and Ethnicity of Officers Involved in Use of Force Incidents During 2020, 2021, and 2022



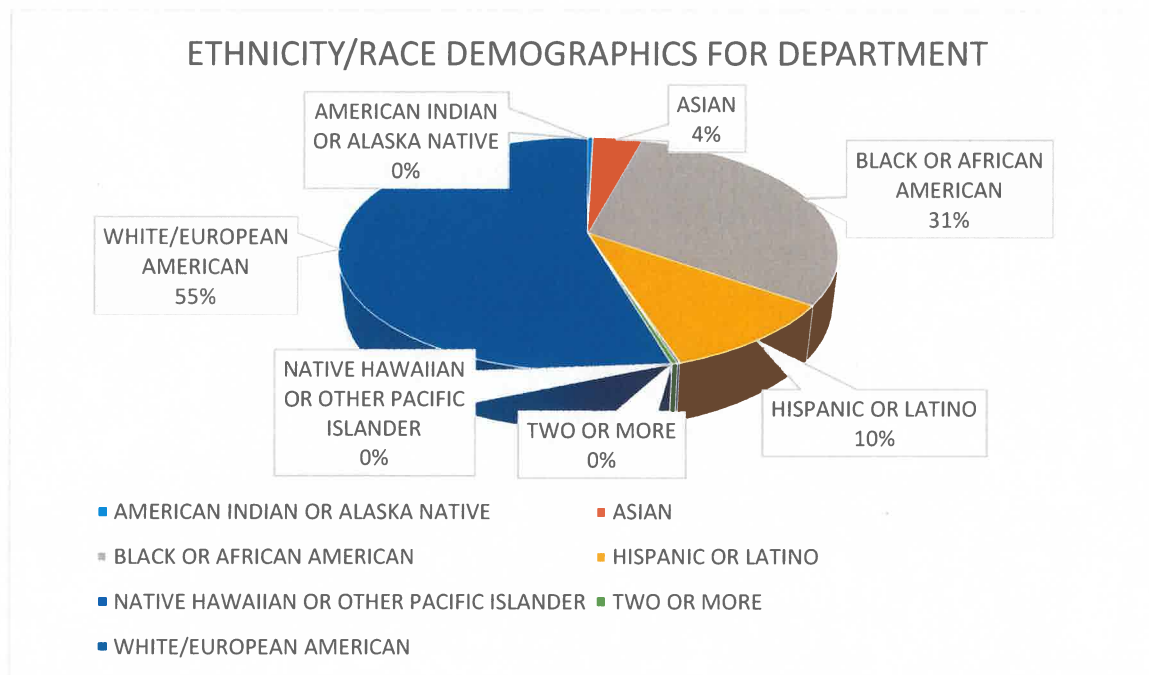
Calendar year 2022 resulted in 10 Black/African American officers, 2 Asian/Pacific Islander officers, 144 White/European American officers, and 10 Hispanic/Latin American officers involved in use of force reporting. In total, 166 officer race/ethnicities were reported.

In comparison to 2021, all categories of officer race/ethnicity resulted in a decrease of officers involved. This is attributed to the overall number of use of force reporting being less than the previous year (307 in CY2021 compared to 166 in CY2022). Thus, removing the January 6 Insurrection data (160 use of force reports in CY2021), the data still remains consistent in the categories reported during calendar year 2022. Specifically, the data is proportionately smaller, but does not overly adjust any of the percentages in each category.

DEPARTMENT'S SWORN RACE/ETHNICITY DEMOGRAPHICS

Figure 10.

The following chart identifies the Department's Sworn Race/Ethnicity demographics as of December 31, 2022, for Calendar Year 2022



As of December 31, 2022, the Department reported the sworn employment of 8 American Indian or Alaska Natives, 74 Asians, 604 Black/African Americans, 200 Hispanic/Latin Americans, 3 Native Hawaiian or Other Pacific Islanders, 6 Two or More, and 1076 White/European American employees. In total, 1,971 sworn employees were members of the Department on December 31, 2022. Note: This information was confirmed by the Office of Human Resources.

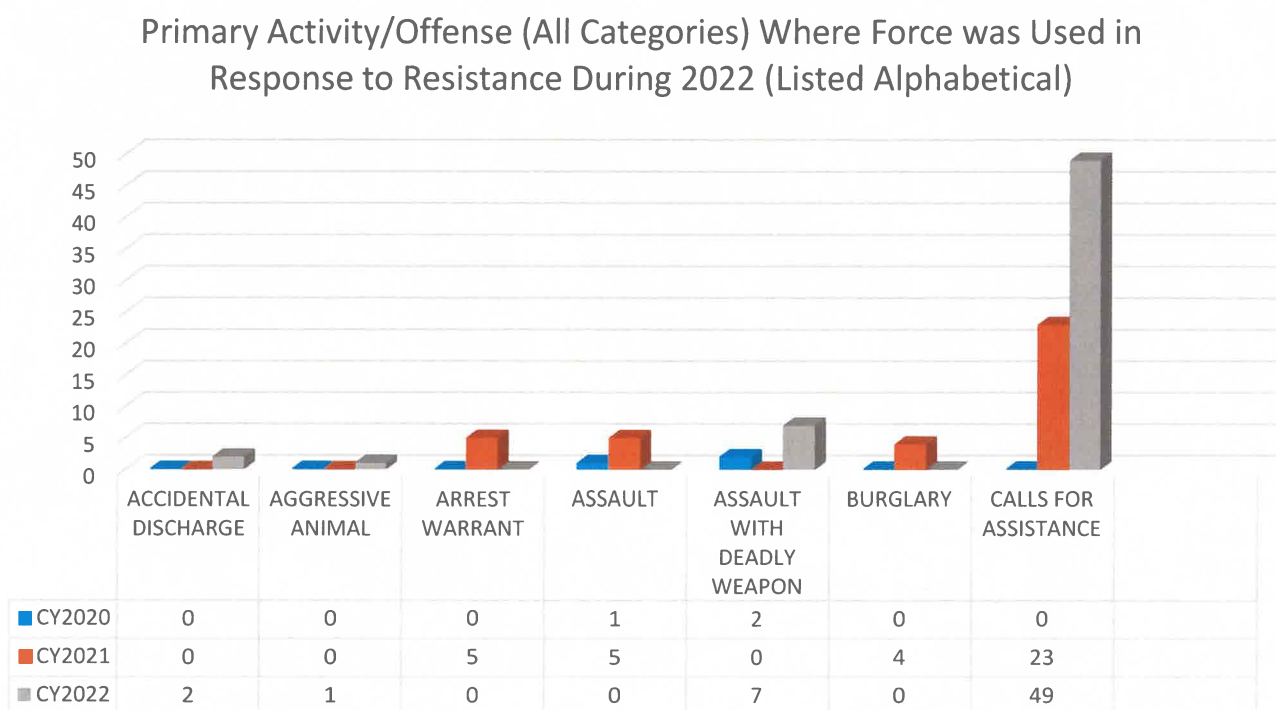
As identified in Figure 9 on the previous page, in 2022, White/European officers were involved in 87% of the reported use of force incidents, Black/African American officers were involved in 6% of incidents, Hispanic/Latin American officers were involved in 6% of incidents, and Asian officers were involved in 1% of the reported use of force incidents. These percentages are in relative proportion to the agency's total sworn demographics (race and ethnicity) as identified in Figure 10 above, which validates that no specific race or ethnicity is more involved in using use of force in response to resistance of a subject.

PRIMARY ACTIVITY OR OFFENSE TYPE BEING CONDUCTED WHILE FORCE WAS USED

Figure 11.

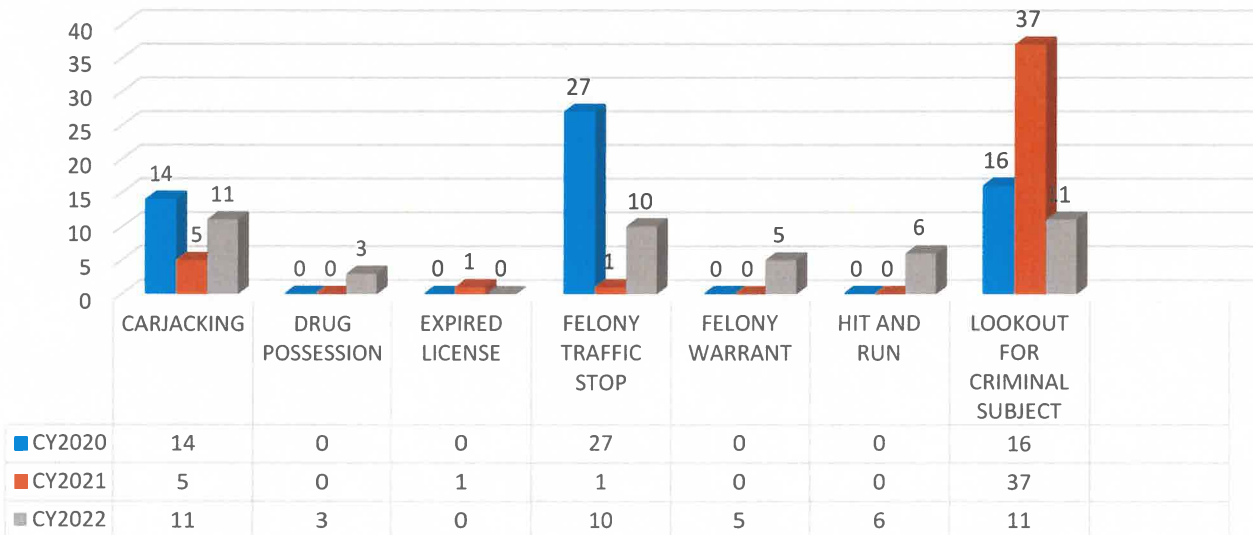
Primary Activity or Offense Type (All Categories) Being Conducted While Force was Used During Criminal Activity During 2020, 2021, and 2022

The below figures are representational of all activities and offense types (listed alphabetical) that occurred during calendar year 2022.

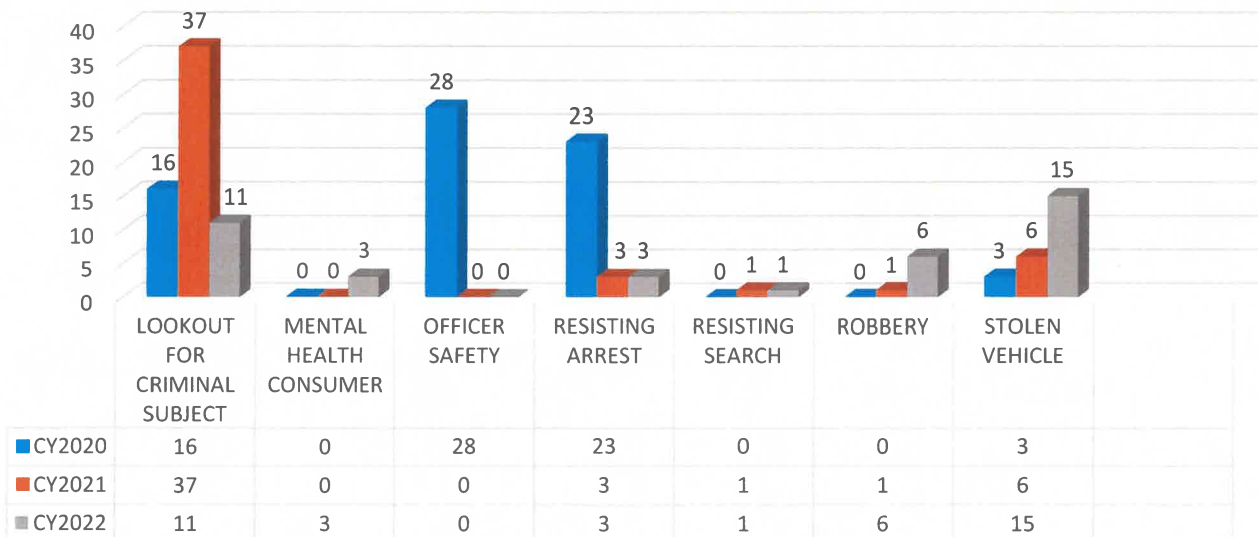


The reporting category of Calls for Assistance was the most reported category among all other categories and comprised of 30% of the reporting in calendar year 2022. Calls for assistance include requests to respond to assist with a resistant and combative individual from another agency, such as the Metropolitan Police for the District of Columbia, Amtrak Police Department, or the United States Park Police, etc.).

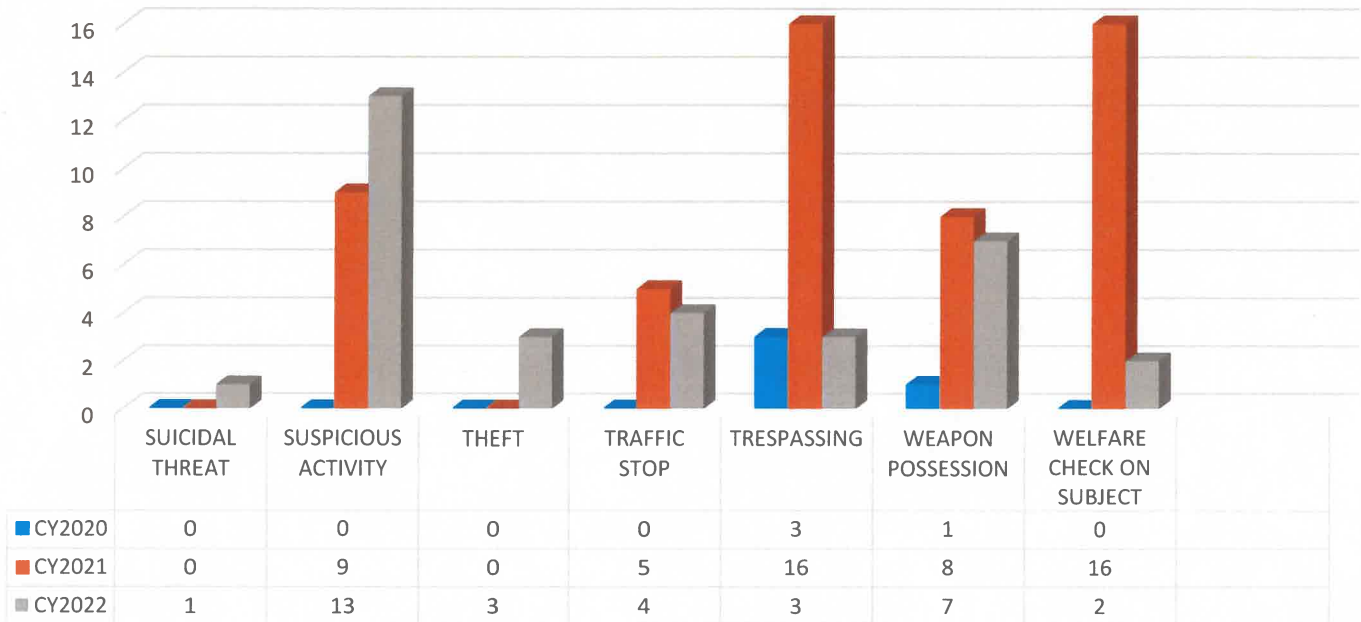
Primary Activity/Offense (All Categories) Where Force was Used in Response to Resistance During 2022 (Listed Alphabetical)



Primary Activity/Offense (All Categories) Where Force was Used in Response to Resistance During 2022 (Listed Alphabetical)



Primary Activity/Offense (All Categories) Where Force was Used in Response to Resistance During 2022 (Listed Alphabetical)



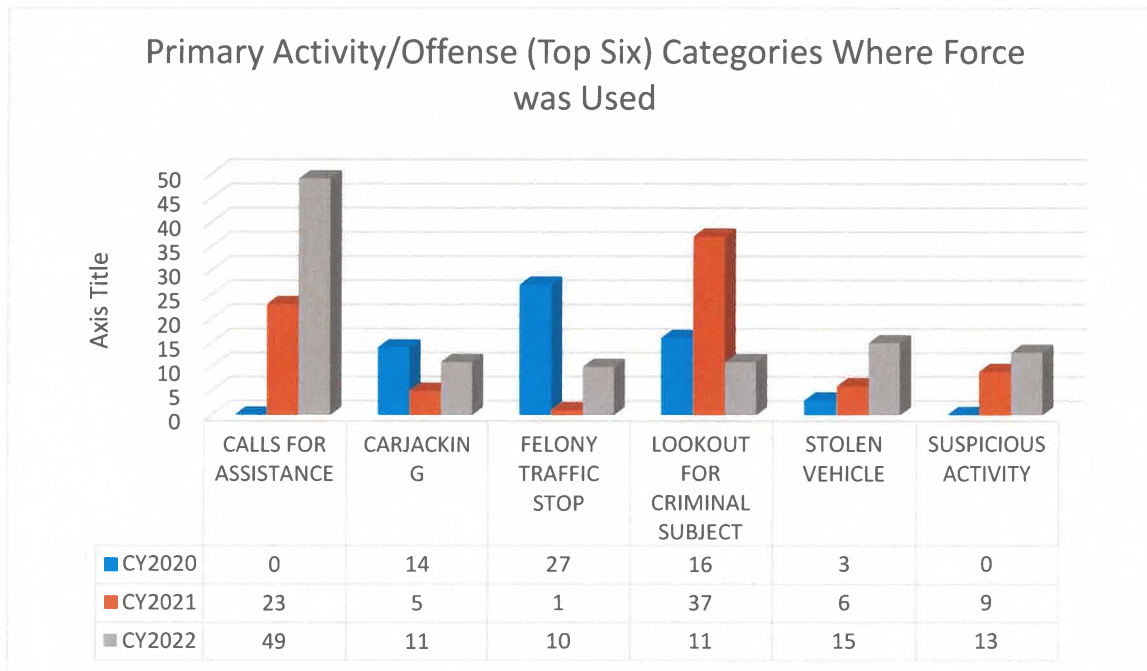
Calendar year 2022 resulted in the reporting of 2 Accidental Discharges, 1 Aggressive Animal, 7 Assaults with a Deadly Weapon, 49 Calls for Assistance, 11 Carjackings, 3 Drug Possessions, 10 Felony Traffic Stops, 5 Felony Warrants, 6 Hit and Runs, 11 Lookouts for Criminal Subjects, 3 Mental Health Consumers, 3 Resisting Arrests, 1 Resisting Search, 6 Robberies, 15 Stolen Vehicles, 2 Welfare Check on Subject, 1 Suicidal Threat, 13 Suspicious Activities, 3 Thefts, 4 Traffic Stops, 3 Trespassing, and 7 in Possession of a Weapon. In total, 166 activities or offenses were reported during calendar year 2022.

The primary offense types that reflected the largest increases in 2022 were the categories of Assault with Deadly Weapon (by 7 reports), Calls for Assistance (by 26 reports), Carjacking (by 6 reports), Felony Traffic Stop (by 9 reports), and Stolen Vehicle (by 9 reports), as compared to the previous year.

PRIMARY ACTIVITY OR OFFENSE TYPE (TOP SIX CATEGORIES) BEING CONDUCTED WHILE FORCE WAS USED

Figure 12.

Primary Activity or Offense Type (Top Six Categories) Being Conducted While Force was Used During Criminal Activity During 2020, 2021, and 2022



The above figure is representational of the top six activities or offense types (taken from Figure 11 on the previous page) that occurred during calendar year 2022.

The categories of Calls for Assistance, Carjacking, Felony Traffic Stop, Lookout for Criminal Subject, Stolen Vehicle, and Suspicious Activity resulted in the majority of reporting and comprised of 66% of the activities where officers needed to employ a level of force in response to resistance, compared to 56% of the same activity/offense that were reported in 2021. These particular categories were primarily reported by officers who were assigned to the Operational Services Bureau and primarily conduct traffic and subject stops and arrests.

TYPES OF FORCE – LEVELS AND MEANS

It is the policy of the Department to allow officers to use only the level of force that is objectively reasonable to effectively bring a subject under control, while protecting the lives of officers and others. The goal of using force is to gain control of the subject(s).

LEVEL OF FORCE USED BY OFFICERS IN RESPONSE TO RESISTANCE

Levels of Force are categorized into three main categories: Compliance Techniques, Defensive Tactics, and Deadly Force. These levels are progressive in nature – meaning compliance techniques are the lowest level of physical force and deadly force is the highest level of physical force. Officers select a level of force based upon the resistance of a subject.

There are three types of resistance that a subject may exert on an officer:

- *Passive* – These individuals may display low levels of non-compliance. The individual who passively resists will go limp and demonstrate indifference to the officer's commands, actions, and empty-hand control.
- *Active physical resistance* – These individuals will use physically evasive movements and will not comply with an officer's requests or commands. These subjects may exhibit actual physical defiance and may include evasive movements to defeat the officer's attempt at control, including but not limited to, pushing, or other physical resistance to hands on control by an officer.
- *Bodily harm* – This occurs when an individual's resistance level increases from active physical resistance to confrontational behavior, so as to inflict bodily harm. This level usually involves the individual attempting to assault the officer or another person.

Officers use physical control tactics as Compliance Techniques when a subject becomes actively resistant. These tactics are of sufficient force to overcome the subject's active resistance, and the officer remains vigilant for more aggressive behavior from the subject. Examples of Compliance Techniques include come-along holds, pressure point applications, joint locks, take-downs, and OC spray.

Defensive Tactics are used by officers when an individual attempts or commits an assault on the officer or another person. When this occurs, officers are justified in using defensive countermeasures designed to cease the subject's non-lethal assault on the officer or others, regain control, and assure continued compliance. Examples of Defensive Tactics include basic self-defense striking techniques (punches and kicks), basic self-defense control techniques, basic empty-hand self-defense escort techniques, handcuffing/restraint techniques, weapon disarmament/retention techniques, take-down techniques, baton strikes and striking/blocking techniques, or ground fighting techniques. It should be noted that in no case are chokeholds authorized.

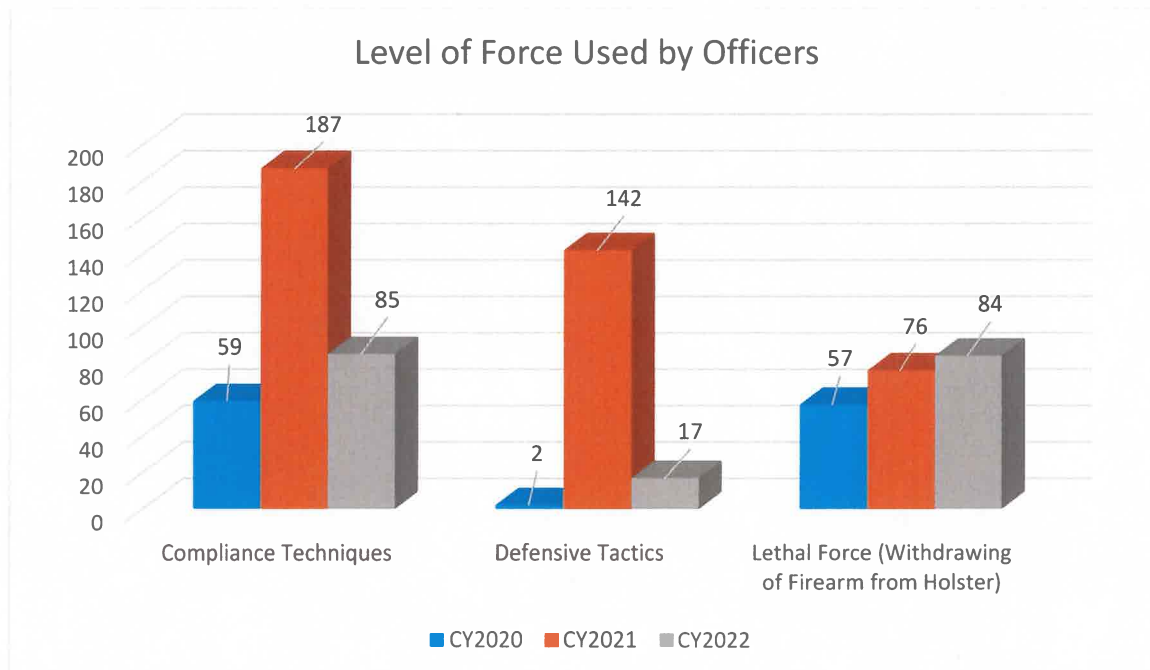
An officer may use lethal force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in the defense of any person in imminent danger of death or serious physical injury. Lethal force is also authorized to apprehend or prevent the escape of a fleeing felon when (1) the officer has probable cause to believe that the person to be apprehended committed a felony involving the infliction or threatened infliction of death or serious physical injury, (2) the officer reasonably believes that the person to be arrested or apprehended will pose an immediate threat of death or serious physical injury to the officer or

others if apprehension is delayed, and (3) when practical, the officer identifies themselves as a police officer and gives the subject a warning of the imminent use of lethal force. During these instances, officers enact immediate countermeasures to stop the threat. These tactics include the intentional discharge of a firearm, impact weapons or other objects used to strike critical areas of a subject's body, and emergency barrier deployment procedures.

The following charts show the breakdown of the types of force used by officers in calendar year 2022 compared to calendar year 2021 and 2020.

Figure 13.

Level of Force Used by Officers in Response to Resistance During 2020, 2021, and 2022



The Department's Use of Force policy defines lethal force as force that is reasonably likely to cause death or serious physical injury. Per policy, lethal force includes the requirement that officers will document anytime they withdraw their Department-issued handgun from its holster. During calendar year 2022, all 84 Lethal Force incidents included officers withdrawing their Department-issued handgun from the holster. During calendar year 2022, zero officers reported discharging their firearm on duty.

Overall, officers reported 186 use of force levels in these three categories on 166 use of force reports in calendar year 2022. Note: The 20 difference was attributed to officers reporting using multiple different levels of force during the same incident. For instance, officers withdrew their firearm from the holster in an attempt to stop a fleeing felon (Lethal Force), but then re-holstered their firearm, engaged in a foot pursuit, and used basic self-defense control techniques and handcuffing/restraint techniques (Compliance Techniques) during the apprehension and the handcuffing phase of the arrest. Thus, two different levels of force were used in the same incident.

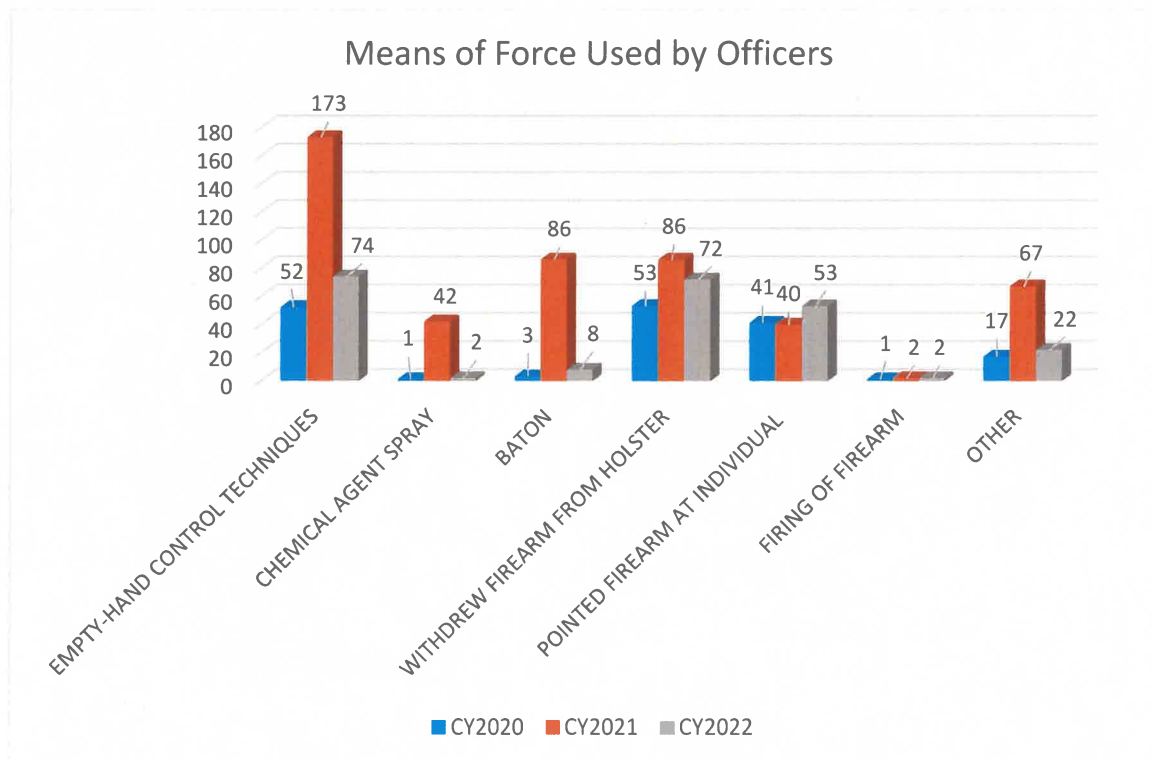
The 186 levels of force reported in calendar year 2022 were categorized as officers using 85 Compliance Techniques, 17 Defensive Tactics, and 84 Lethal Force (withdrawal of firearm from holster) incidents.

The data depicts that Compliance Techniques (-54%) and Defensive Tactics (-88%) decreased in comparison to calendar year 2021, but reporting of Lethal Force (withdrawal of firearm from holster) incidents increased by +9%.

MEANS OF FORCE

Figure 14.

Means of Force Used by Officers in Response to Resistance During 2020, 2021, and 2022



The data for calendar year 2022 resulted in the reporting of 233 Means of Force used by officers. 74 Empty-Hand Control Techniques, 2 Chemical Agent Sprays, 8 Batons, 72 Withdrew Firearm from Holster, 53 Pointed Firearm at Individual, 2 Firing of Firearm, and 22 Other Means of Force were used by officers.

Examples of Other Means of Force included less than lethal options used during civil disturbance events, such as, deploying bean-bag or pepper-ball munitions, or using hands on to gain compliance of an individual.

Calendar year 2022 categories of Empty-Hand Control Techniques, Withdrew Firearm from Holster, and Pointed Firearm at Individual comprised of the majority (85%) of the Means of Force used by officers.

In comparison to calendar year 2021, all categories except for one in calendar year 2022 resulted in the reporting of less data (Means of Force) being reported. The category of Pointed Firearm at Individual increased by the reporting of 13 additional incidents, which resulted in a +24% increase of reporting.

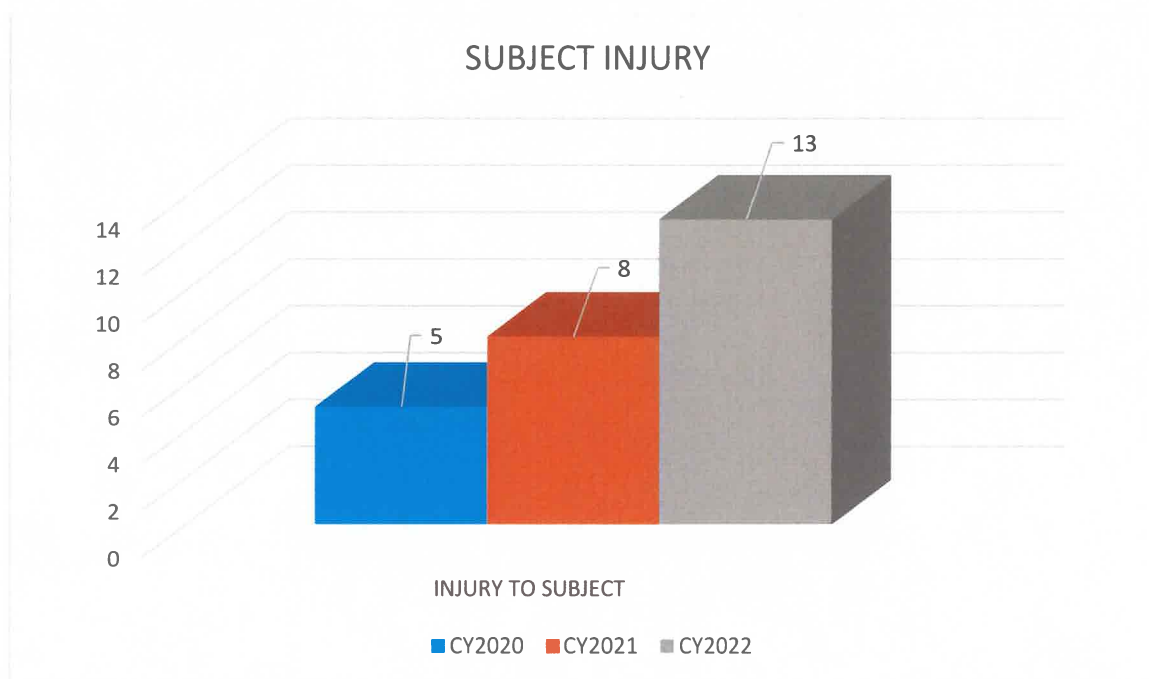
REPORTED INJURIES OF SUBJECTS AND OFFICERS

SUBJECT INJURY AS A RESULT OF FORCE USED BY OFFICERS IN RESPONSE TO RESISTANCE

The following chart depict a three-year analysis of reported injuries to subjects while engaged in a use of force activity.

Figure 15.

Subject Injury as a Result of Force Used by Officers in Response to Resistance During 2020, 2021, and 2022



Note: Calendar year 2021 resulted in the overall reporting of 26 subjects injured. However, 18 of the 26 reports received were directly attributed to the January 6, 2021, Insurrection (anomaly).

The data shows that calendar year 2020 resulted in the reporting of 5 injuries to subjects, 8 injuries to subjects in calendar year 2021, and 13 injuries to subjects in calendar year 2022.

The calendar year 2022 Subject Injury resulted in a 38% increase as compared to the previous year (excluding the January 6 Insurrection). A review of the last three year period revealed a steady increase in the number of injured subjects, year by year. The justification for this increase is attributed to the Department returning to its normal operational period post the

January 6 Insurrection with an increased staffing and patrol functions. In addition, the increase is attributed to a citywide increase in armed carjacking/violent crimes during the last three-year period.

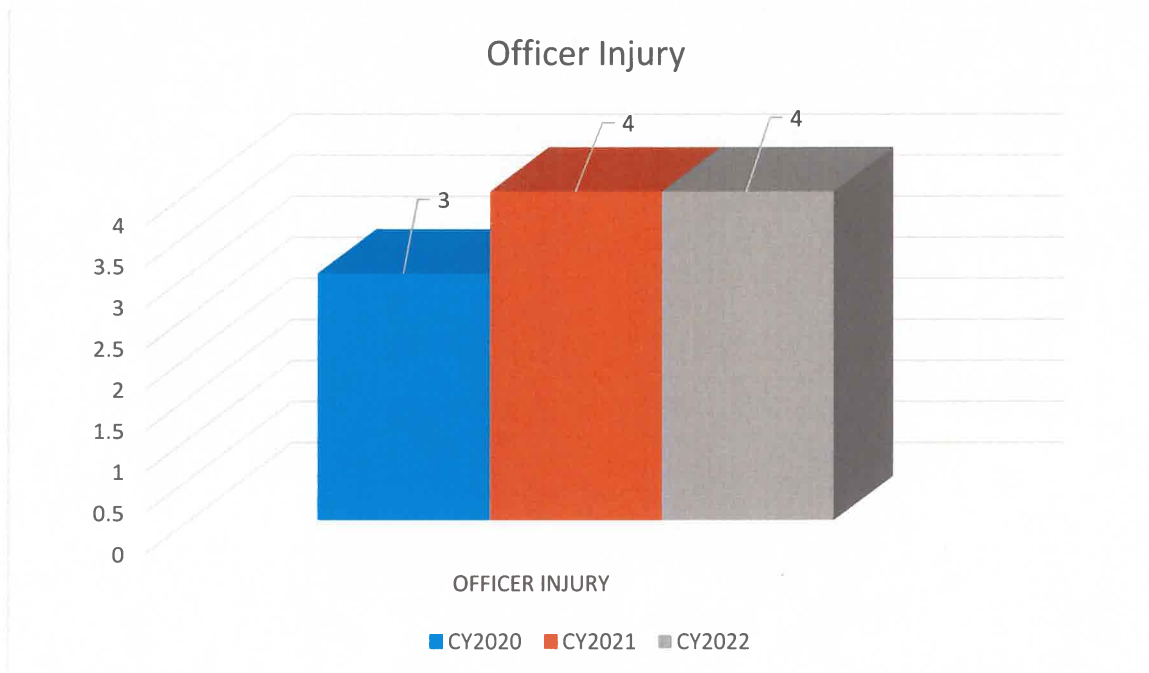
Through data analysis, the Office of Professional Responsibility confirmed that although 13 injuries of subjects occurred in calendar year 2022, all injuries were treated successfully by medical professionals while either on the scene or at a medical facility.

OFFICER INJURY AS A RESULT OF FORCE USED IN RESPONSE TO RESISTANCE

The following chart depict a three-year analysis of reported injuries to officers while engaged in a use of force activity.

Figure 16.

Officer Injury as a Result of Force Used in Response to Resistance During 2020, 2021, and 2022



Note: Calendar year 2021 resulted in the overall reporting of 26 officers injured. However, 22 of the 26 reports received were directly attributed to the January 6, 2021, Insurrection (anomaly).

The data shows that calendar year 2020 resulted in the reporting of 3 injuries to officers, 4 injuries to officers in calendar year 2021, and 4 injuries to officers in calendar year 2022.

Through data analysis, the Office of Professional Responsibility confirmed that although 19 injuries of subjects and 4 injuries of officers occurred in calendar year 2022, all injuries were treated successfully by medical professionals while either on the scene or at a medical facility.

OFFICER DISCHARGING ISSUED FIREARM

The following chart depicts a three-year analysis of Officers Discharging Department-issued Firearms by calendar year.

Figure 17.

Officer Discharging Department-issued Firearm by calendar year.

CY2020	CY2021	CY2022
1	2	2

During calendar year 2022, the Office of Professional Responsibility conducted a thorough administrative investigation into two (2) reports of an officer discharging their Department-issued firearm.

On May 3, 2023, at approximately 0830 hours, while in the Cannon House Office Building's House Division's break room, an officer unintentionally discharged his Department-issued handgun. While alone in the break room, the officer was practicing withdrawing his Department-issued handgun from the holster and dry-firing (depressing the trigger) in preparation for his Range requalification. The officer believed he was practicing with a red handled (inert) gun, but was actually using his Department-issued handgun and depressed the trigger, which discharged one round into a desk and wall. The Office of Professional Responsibility conducted an administrative investigation and determined that although this was an unintentional discharge, the discharge violated Department policy and sustained a rule violation for Use of Weapons. The officer was subsequently disciplined and held accountable.

On September 13, 2022, at approximately 0925 hours, while in the Fairchild Building's Containment Emergency Response Team's (CERT) administrative office, a CERT officer unintentionally discharged his Department-issued handgun. While in a supply room located within an office area, the CERT officer was practicing withdrawing his Department-issued handgun from the holster and repeatedly performed loading and unloading drills to test a new piece of equipment on his holster. During one of those instances, his handgun became snagged and he placed his finger on the trigger and depressed the trigger. One round was discharged into a cabinet and into the floor. The Office of Professional Responsibility conducted an administrative investigation and determined that although this was an unintentional discharge, the discharge violated Department policy and sustained a rule violation of Use of Weapons. The officer was subsequently disciplined and held accountable.

The United States Capitol Police have been consistently low in its number of firearm discharges as demonstrated in the above chart over the course of a three-year span. This is attributable to the Department heavily emphasizing firearm safety and use of force training.

SUMMARY

The authority to use force carries with it the need for accountability in order to safeguard the rights of the public and preserve the integrity of the Department and the jurisdiction that provides this authority. As such, it is the policy of the Department that the use of force, as defined in the Directive, shall be reported in a timely, complete and accurate manner by the involved officer(s).

The Office of Professional Responsibility is the central repository for all Use of Force reporting and is responsible to review all reported incidents generated by Department employees.

The Department's Use of Force policy (Directive 1020.004) requires officers to complete a Use of Force report for any of the following incidents:

- The discharge of firearm for other than training.
- Action that results in, or is alleged to have resulted in, injury or death of another person.
- The shooting of an injured or dangerous animal.
- The application of force through the use of lethal or less-lethal weapons.
- The application of weaponless physical force that results in, or is alleged to have resulted in, injury or death of another person.
- Unintentional discharges, which must also be documented in an Office of Professional Responsibility report of investigation.
- The withdrawal of a weapon from its holster, and/or pointing a weapon (including a firearm) at an individual or animal.
- Any use of force greater than and including empty-hand control techniques.

These policy requirements are an important element of the Department's ongoing commitment to transparency and accountability in its use of force reporting.

The Office of Professional Responsibility has reviewed all reported Use of Force forms submitted during calendar year 2022 and have identified that the Department experienced 72 scenes where 166 officers used force in response to resistance.

Overall, the data collected during calendar year 2022 indicates that for the overwhelming majority of calls for service, officers rarely use force in response to resistance in the performance of their duties and were compliant with the Department's Use of Force form reporting requirement.



UNITED STATES CAPITOL POLICE
WASHINGTON, DC 20510-7218

February 13, 2024

MEMORANDUM

TO: Chief J. Thomas Manger
Chief of Police

FROM: Inspector Michael A. Spochart
Office of Professional Responsibility

SUBJECT: Request to Implement Training Needs, Equipment Upgrades, and Policy Modifications

This is a **DECISION PAPER**.

PURPOSE:

The purpose of this memorandum is to provide you information on the Office of Professional Responsibility's identified patterns and trends as a result of the CY2022 Annual Use of Force report's findings and to seek your approval to implement training needs, equipment upgrades, and policy modifications.

DISCUSSION:

This annual report is being submitted in accordance with Directive 1020.004 Use of Force, which requires the Office of Professional Responsibility to compile and document an analysis of reports of Use of Force on annual basis and make recommendations to the Chief of Police.

The data captured in this document was analyzed by the Office of Professional Responsibility in an attempt to identify patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications.

TRAINING NEEDS:

The Office of Professional Responsibility has reviewed in detail all of the use of force reports received during calendar year 2022 and identified that the Department can improve upon its current training initiatives by ensuring that the following occur:

- Officers and supervisors require training on revised Directive 1020.004 Use of Force.
 - It is acknowledged that the Executive Team are completing final edits to revise Directive 1020.004 Use of Force and will include added instruction for officers and supervisors to complete Use of Force reports (CP-315 and CP-316). Once this

policy is published, it is recommended that officers and supervisors be trained on the new policy requirements.

- Officers are inconsistently reporting Levels of Force.
 - Directive 1020-004 Use of Force requires officers to report a Level of Force used. Options include Compliance Techniques, Defensive Tactics, or Deadly Force. A review of Use of Force reports submitted during calendar year 2022 revealed that officers are either omitting completion of this block on the CP-315 or are incorrectly completing this block with relativity to be consistent with the means of force used.
 - Directive 1020-004 Use of Force requires officers to report a Means of Force used. Options include Empty-Hand Control Techniques, Chemical Agent Spray, Withdrew Firearm from Holster, Pointed Firearm at Individual, Firing of Firearm, Baton, or Other. A review of Use of Force reports submitted during calendar year 2022 revealed that officers are either omitting completion of this block on the CP-315 or are incorrectly completing this block with relativity to be consistent with the level of force used.
- Use of Force reports (CP-315) may be inconsistently submitted.
 - Directive 1020.004 Use of Force requires officers to complete a CP-315 for all incidents listed within the policy, but specifically for “any use of force greater than and including empty-hand control techniques.” The Office of Professional Responsibility identified through analysis of CP-315 submitted, that officers identified as involved and who were on the scene and assisted did not report using a level of force that required a Use of Force report being completed. It is unknown whether these officers did, in fact, use any level of force that required them to complete a Use of Force report.
- Officers require ongoing training on how to communicate with citizens who may have mental health issues.
 - As an industry standard and best practice, it is recommended that officers continue to receive consistent training on how to communicate with citizens with mental health issues. This recommendation will ensure officers remain confident in leveraging de-escalation tactics, when necessary.
- Officers require ongoing diversity training related to encounters with minorities.
 - The majority of Use of Force reports in calendar year 2022 revealed encounters with minorities. As an industry standard and best practice, it is recommended that officers continue to receive consistent diversity training on how to communicate with minorities.
- Written narratives on the Vehicle Pursuit forms are inconsistent.
 - Officers are to be reminded to include a detailed narrative of the incident on the Vehicle Pursuit report; a copy and paste of the Arrest report narrative is insufficient as the Vehicle Pursuit report narrative is to specifically include the actions of the pursuing officer as to determine whether the officer acted in compliance with Directive 1053.002 Vehicle Pursuits.

EQUIPMENT UPGRADES:

The Office of Professional Responsibility has reviewed in detail all of the use of force reports received during calendar year 2022 and have not identified a present need to upgrade or change any equipment.

With regard to a review of the Vehicle Pursuit Analysis submit during calendar year 2022, the Vehicle Maintenance Division is responsible to maintain all Department vehicle equipment needs. To date, there is no information available demonstrating a need for equipment upgrades as it pertains to vehicle pursuits.

POLICY MODIFICATIONS:

The Office of Professional Responsibility is presently aware that the Executive Team is updating Directive 1020.004 Use of Force to include added instruction for officers and supervisors to accurately and completely submit Use of Force forms CP-315 and CP-316 when a level and means of force is used. The Office of Professional Responsibility was included in the recent Executive Team review of the Directive and has provided recommendations for further improvement to both the policy and the forms.

Vehicle pursuits do not seem to occur frequently enough to warrant changes from current policy. However, the Office of Professional Responsibility did conduct an analysis of the Department's vehicle pursuit reports received in 2022 and reviewed Directive 1053.002 Vehicle Pursuits. At this time, the vehicle pursuit policy appears to contain information that is relative for current-day applicability and does not require any change.

CONCLUSION:

Should you approve these recommendations, the Office of Professional Responsibility will work to resolve each identified concern. Thank you and please let me know if you have any questions.

Respectfully,



Inspector Michael A. Spochart
Office of Professional Responsibility