



# Open Data Report

# 2020

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*An annual over-view of Jacksonville Sheriff's Office (JSO) data collected between January and December 2020 conducted by the Professional Oversight Unit of the Department of Personnel & Professional Standards.*

# 2020 Response to Resistance Incidents



## DEFINITIONS

**Response to Resistance (RTR) Incident** - Any instance involving a use of force by an officer in the course of his official duties that meets at least one of the following criteria:

- A firearm was discharged;
- An intermediate weapon was used on or against an individual;
- A person or animal was exposed to a chemical agent;
- A Special Weapons & Tactics (SWAT) team member used a specialty weapon in a non-SWAT incident;
- A Conducted Energy Weapon (CEW) was deployed in "Probe" or "Touch-Stun" mode;
- Physical force was used on a subject and the force resulted, or was alleged to have resulted, in any injury, regardless of the severity;
- An injury was observed on a subject following any use of force;
- A ramming maneuver was used on a vehicle;
- An arrestee was rejected admission to the Pre-Trial Detention Facility (PDF) and directed to the hospital due to alleged injuries sustained from a member's response to resistance;
- After an arrestee was granted admission to the PDF, the arrestee alleged an injury was sustained from a member's response to resistance (In these cases, the PDF will notify the approving supervisor listed on the Arrest & Booking Report that such an allegation was made); or
- A supervisor determines an RTR Report is appropriate.

**Use of Force** - The application of an agency-approved technique used to establish the physical control of a subject who is resisting an officer's lawful attempts to take the subject into custody. The five use of force categories are:

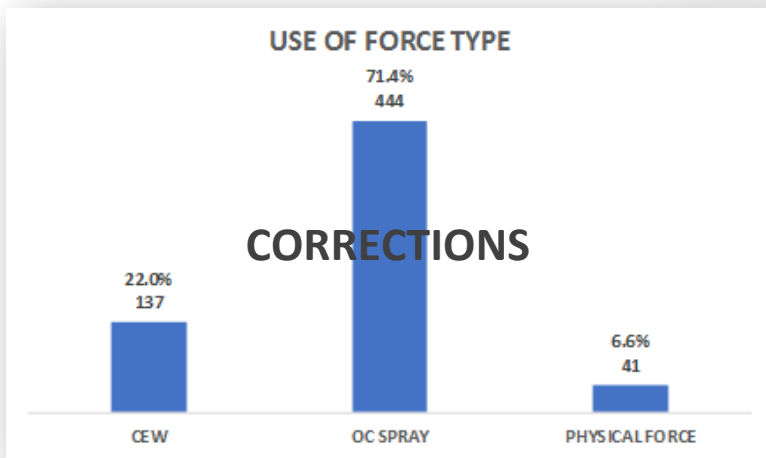
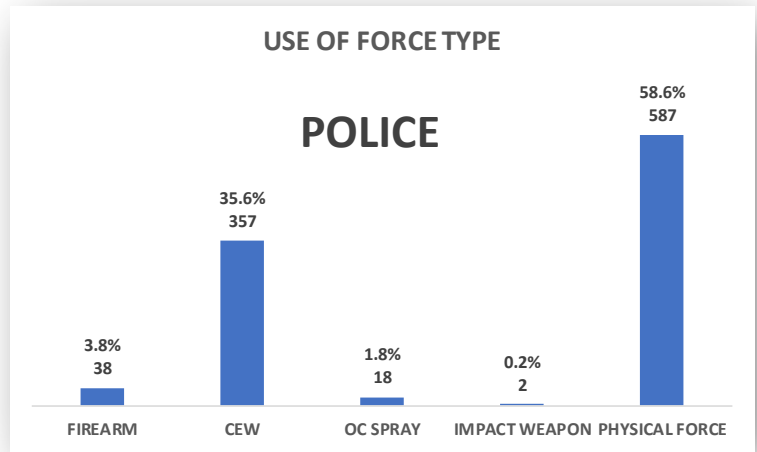
- **CEW:** Force that involved the use of a Conducted Energy Weapon (CEW), commonly referred to as a "Taser";
- **Chemical:** Force that involved a chemical agent such as Oleoresin Capsicum (OC) Spray;
- **Firearm:** Force that involved the use of an agency-issued or agency-approved small arms weapon, such as a rifle or pistol;
- **Intermediate:** Force that involved a baton and/or specialty impact weapon; and
- **Physical:** Force that involved the use of physical control techniques, restraint devices, transporters, pain compliance, takedown techniques, and counter move techniques.

## OVERALL 2020 FIGURES

From **January to December 2020**, there were **533** RTR incidents involving police officers employed by the Jacksonville Sheriff's Office (JSO) and **432** RTR incidents involving corrections officers.

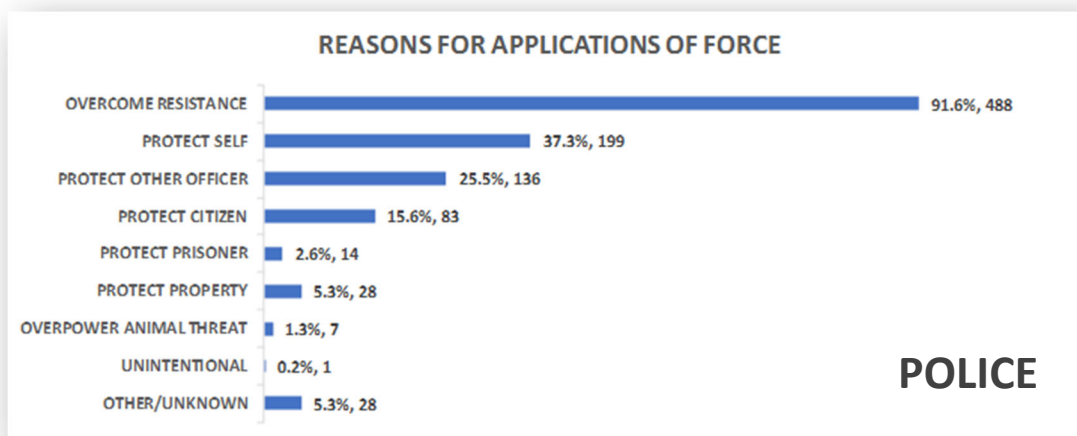
**Sixteen (16)** officer-involved shootings occurred in 2020, **nine (9)** of which were fatal to the involved subject.

The **533 Police** RTR incidents included **1,002** applications of force. (Some incidents involve multiple applications of force). The majority of these applications of force involved either the use of physical force (587, or 58.6% of all applications of force) or the use of a Conducted Electrical Weapon (CEW) (357, or 35.6% of all applications of force).

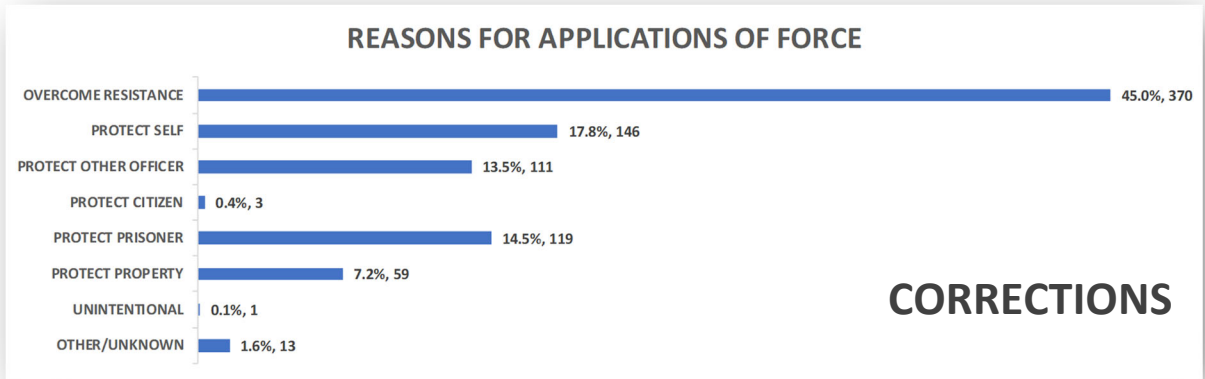


The **432 Corrections** RTR incidents included **622** applications of force. The majority of these applications of force involved Oleoresin Capsicum (OC) Spray (444, or 71.4% of all applications of force).

## REASONS FOR APPLICATIONS OF FORCE



- **488** Police RTR incidents (**91.6%**) were the result, at least in part, of the need to overcome the resistance of a subject.
- **249** of Police RTR incidents (**46.7%**) were the result, at least in part, of the need for officers to protect themselves or others. Includes "Protect Self", "Protect Other Officer", "Protect Citizen" and "Protect Prisoner"



- **370** Corrections RTR incidents (**45.0%**) were the result, at least in part, of the need to overcome the resistance of an inmate.
- **230** Corrections RTR incidents (**53.2%**) were the result, at least in part, of the need to protect themselves or others. Includes "Protect Self", "Protect Other Officer", "Protect Citizen" and "Protect Prisoner"

*\*Note: An officer can input multiple reasons for applications of force in a use of force incident. The above numbers represent incidents where at least one of these reasons was selected.*

## INDIVIDUALS INVOLVED IN POLICE RTR INCIDENTS

**Total # of Officers Involved in All Incidents: 667**

**70.3%** of officers had 5 years of experience or less.

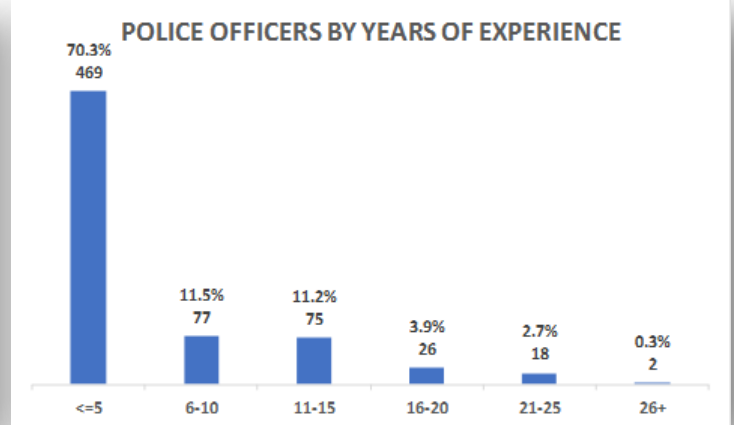
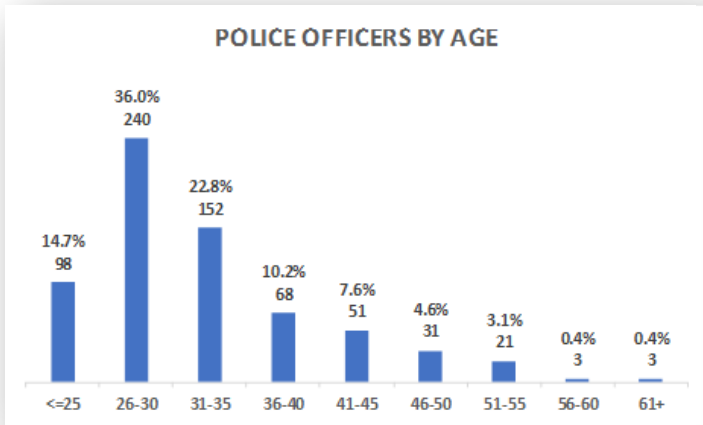
**99.6%** of officers were on duty during the incidents.

**48.2%** of officers on-viewed the incident.

**Total # of Subjects Involved: 483**

**11** subjects were involved in two or more separate incidents.

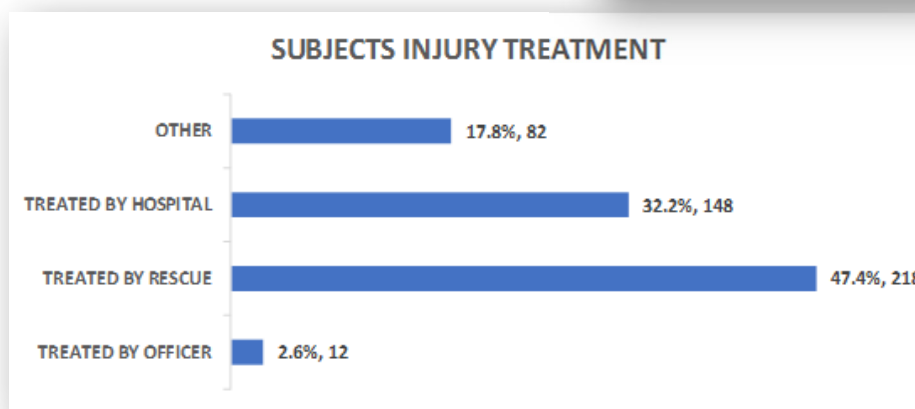
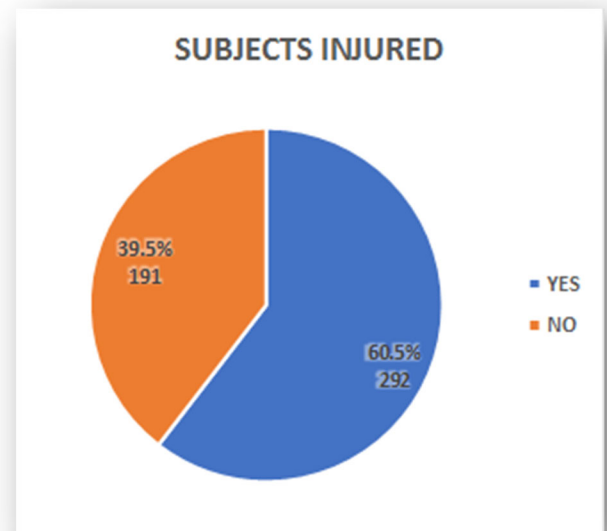
**64.8%** of subjects were 35 years of age or younger.



## SUBJECTS INVOLVED IN POLICE RTR INCIDENTS

292 of the 483 subjects (60.5%) reported or alleged an injury during a use of force incident. 93.3% of those were injured by the response to the resistance. 37.8% of those injuries were abrasions, 17.6% were lacerations, and 7.1% was swelling. Officers are required to document an application of force incident if the subject alleges a non-visible injury or reports an injury that was not directly related to the use of force.

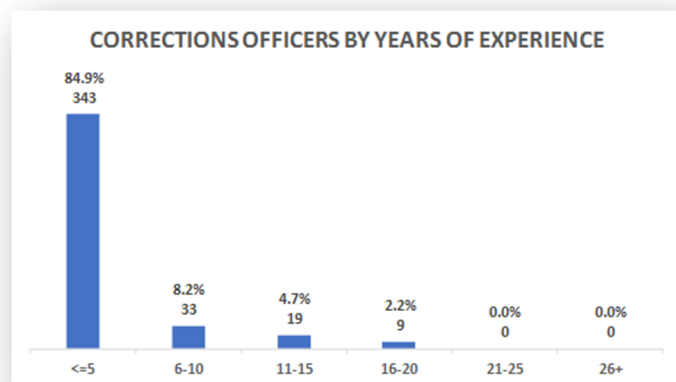
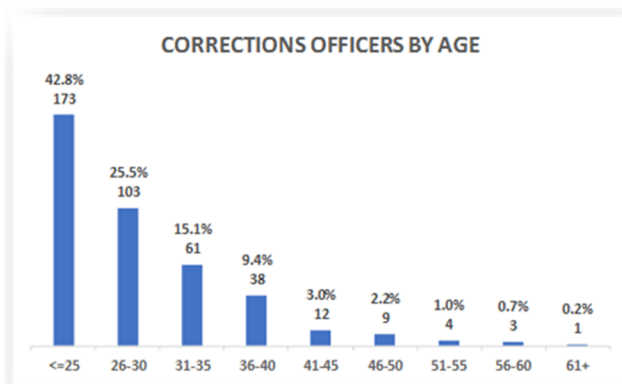
9 subjects sustained fatal injuries from the use of deadly force.



## SUBJECTS INVOLVED IN CORRECTIONS RTR INCIDENTS

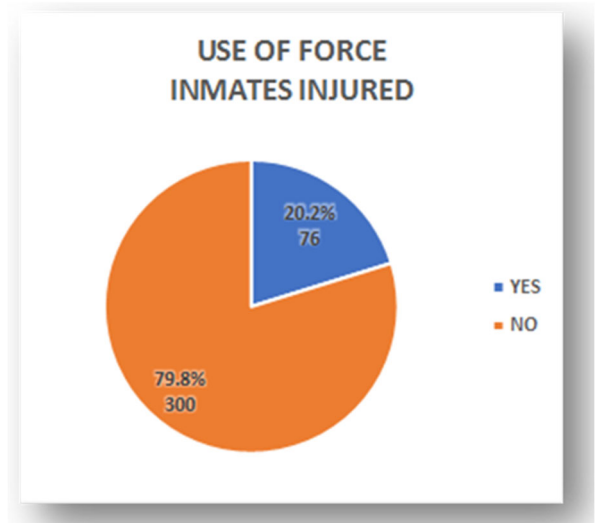
**Total # of Officers Involved in All Incidents: 404**  
**84.4%** of officers had 5 years of experience or less.

**Total # of Inmates Involved: 376**  
**53** inmates were involved in two or more separate incidents.  
**74.3%** of inmates were 35 years of age or younger.



## SUBJECTS INVOLVED IN CORRECTIONS RTR INCIDENTS

76 of the 376 subjects (20.2%) reported or alleged an injury during an application of force. 28.4% of those injuries were lacerations and 23% of injuries were redness. Officers are required to document an application of force incident if the subject alleges a non-visible injury or reports an injury that was not directly related to the use of force.

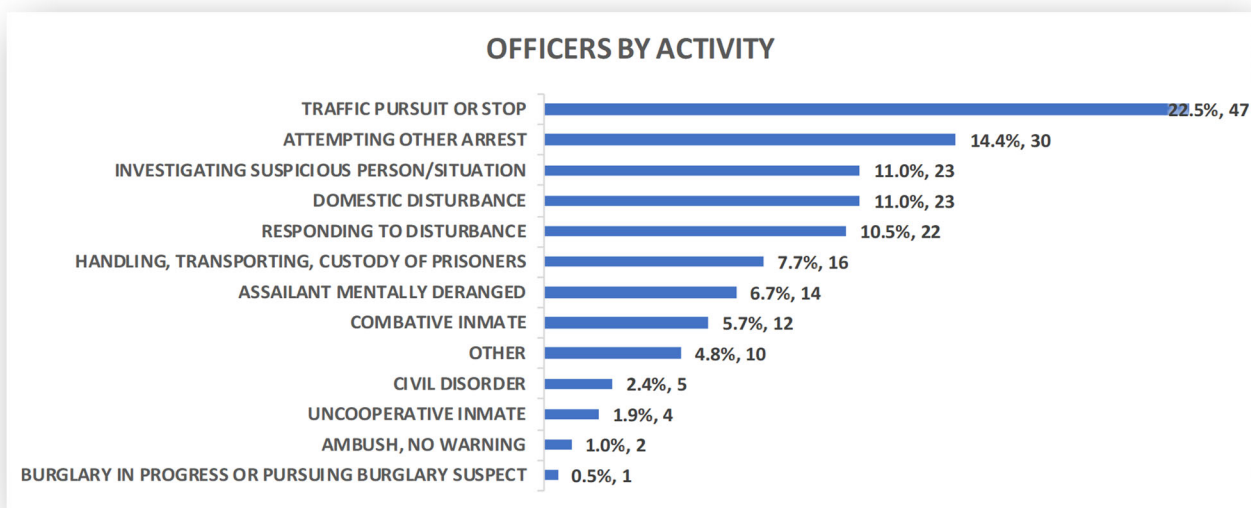


## BATTERY ON A LAW ENFORCEMENT OFFICER (BOLEO)

Battery on a law enforcement officer occurs when a sworn law enforcement officer or non-sworn correctional officer, acting in those capacities, is a victim of a simple or aggravated assault/battery; or a victim of a sexual battery; or is killed.

Officers who criminally charge a suspect with resisting arrest with violence are also required to complete an officer assaulted/killed report indicating an officer was a victim of that crime.

- 230 documented incidents involving assaults on law enforcement officers
- Of the 230 incidents, 249 police officers were involved, 19 corrections officers, 1 bailiff and 1 sworn judicial officer
- Officers are most commonly injured during traffic stops and/or pursuits (22.5%)



## DOCUMENTATION AND REVIEW OF RTR INCIDENTS

JSO members are required to complete an RTR report in accordance with policy following a use of force incident. This report is reviewed by the member's chain-of-command and by the Professional Oversight Unit. RTR reports are subject to further review by the Director of Personnel & Professional Standards, the Response to Resistance Review Board, and/or the Internal Affairs Unit, to ensure compliance with JSO policy and training. The Homicide Cold Case Unit responds and conducts a criminal investigation for all incidents involving an officer discharging a firearm at an individual.

## TRAINING

The agency conducts annual training on the applications of all types of force, as well as additional specific training as needed. The JSO Training Academy and the Professional Oversight Unit monitor trends in the agency, and in other agencies, to ensure JSO policy and training represents national best practice standards. Training is conducted using a variety of methods, including:

- Basic law enforcement training classes
- Annual in-service training for officers and supervisors
- Bi-annual firearms requalification and training
- Monthly roll call training
- Specialized classes offered to officers for advanced training, including *Defensive Tactics* and *Understanding and Articulating Use of Force Incidents*
- Remedial training for officers who have demonstrated a deficiency in a specific area

## COMPLAINTS AGAINST MEMBERS

Complaints against members of the Jacksonville Sheriff's Office are accepted from any source and forwarded to the Internal Affairs Unit. The Internal Affairs Unit conducts a preliminary review of each complaint and all evidence/documentation associated with the complaint. Complaints involving allegations of misconduct are either forwarded to the member's supervisor for further investigation (when the allegation is of **minor misconduct**) or are investigated by an Internal Affairs detective (when the allegation is of **serious misconduct**). Based on the results of the administrative investigation, each allegation of misconduct is given one of the following dispositions:

- **Unfounded:** The administrative investigation determined an allegation of misconduct was false or not supported by the facts.
- **Exonerated:** The administrative investigation determined the alleged misconduct occurred, but the member's actions were lawful and proper.
- **Not Sustained:** The administrative investigation determined there was insufficient evidence to either prove or disprove the allegation of misconduct.
- **Sustained:** The administrative investigation determined there was a preponderance of evidence to support a violation of agency policy, rules and/or regulations.

When an allegation of misconduct is **sustained**, the Sheriff's Office administers corrective and/or disciplinary action to the member, for the purpose of preventing future violations of policy. The hierarchies of training and disciplinary actions that follow sustained misconduct are:

- **Remedial Training:** The member is given additional training in an area where they have demonstrated one or more deficiencies. Remedial Training can be given in addition to any other form of corrective/disciplinary actions and is not considered discipline.
- **Informal Counseling Session:** This is a discussion between the supervisor and a subordinate, which is positive and correctively advisory in nature, and is the first step in bringing about improvements in the member's behavior. It may involve, among other things, a procedural clarification, recommendation to obtain additional training, suggestions for improvement, an oral admonishment for a perceived indiscretion, or a suggestion that the employee obtain professional counseling. Informal Counseling does not require written documentation and is not considered discipline.
- **Formal Counseling Session:** This is a discussion between a supervisor and a subordinate in which the subordinate's improper behavior and necessary improvements are brought to his attention. Formal counseling sessions are, generally, used after informal supervisor/subordinate communications have failed to produce the desired results or when the conduct or performance is somewhat more serious. Formal counseling sessions should be held on a positive note, be conducted by the employee's immediate supervisor or higher authority, and be correctively advisory in nature. This step is also not considered discipline but is documented on a form and is considered a more significant course of action than an Informal Counseling Session.
- **Written Reprimand Level One:** This is the first official disciplinary step in the hierarchy. The member is given a document that outlines the violation(s) of policy, discusses consequences for future violations, and it stays active for three years. Written Reprimands are given when a member has not responded to previous training and/or counseling, but they are also given without any previous corrective actions if the policy violation is significant enough.
- **Written Reprimand Level Two:** A Written Reprimand Level Two is similar to a Written Reprimand Level One, but is given for more significant violations of policy and may be given with other higher forms of disciplinary action such as, forfeiture of leave time, reduction of pay, suspension without pay and/or demotion.
- **Suspension or Demotion:** When a member has failed to respond to written reprimands or when a member commits an act of serious misconduct, he/she may be suspended without pay or, if the member has achieved supervisory rank, he/she may be demoted to a previously-held rank.
- **Termination:** In situations where a member has committed particularly serious violations of policy, or has committed numerous violations of policy without any improvement in performance, he/she may be separated from the Sheriff's Office.

During this period in 2020, there were **1,084** total complaints received by the Internal Affairs Unit regarding employees (Police, Corrections, and Civilian). Of those 1,084 files, **879** were submitted by citizens and **205** were initiated by a JSO supervisor or other member. Following the preliminary review conducted by the Internal Affairs Unit, **316** of those complaints necessitated further investigation by either the member's supervisor or by the Internal Affairs Unit.



## COMPLAINTS ADMINISTRATIVELY INVESTIGATED IN 2020

**202** were *Sustained*  
(151 in-house / 51 citizen)

**33** were *Exonerated*  
(9 in-house / 24 citizen)

**22** were *Unfounded*  
(0 in-house / 22 citizen)

**59** were *Not Sustained*  
(10 in-house / 49 citizen)

*Please note: 2020 totals will not include complaints that are still active investigations or complaints that did not warrant an administrative investigation.*

## CORRECTIVE / DISCIPLINARY ACTIONS FOR SUSTAINED CASES IN 2020

Sustained Cases:

**51** Informal Counseling Sessions

**63** Formal Counseling Sessions

**99** Written Reprimand Level Ones

**25** Written Reprimand Level Twos

**16** Written Reprimand Level Two with Suspension

**27** Resignations

**5** Terminations

## COMPLAINTS OF BIAS-BASED PROFILING

Complaints that allege any form of bias-based profiling are distinctly monitored so that any trends can be easily identified. Bias-based profiling occurs when, whether intentionally or unintentionally, employees apply their own personal, societal, or organizational biases or stereotypes when making decisions or taking law enforcement action, and the **ONLY** reason for that decision or action is because of a person's race, ethnicity, background, gender, sexual orientation, religion, economic status, age, culture or other personal characteristic, rather than due to the observed behavior of the individual or the identification of the individual being engaged in criminal activity.

The Internal Affairs Unit received **11** bias-based complaints in 2020. **One** was Sustained.

*\* A previous version of this report was published noting the receipt of 10 bias-based complaints in 2020, with no sustained incidents. Based on the results of a review conducted by the Internal Affairs Unit in December 2022, this report was modified to reflect an additional complaint that was an active investigation at the time of the initial data reporting. An allegation of bias-based profiling was not included in the initial citizen complaint, but later determined through investigative measures to have occurred. This determination occurred after data was collected for the initial publication.*

## COMPLAINTS OF UNNECESSARY FORCE

In 2020, the JSO conducted **62** investigations into allegations of unnecessary use of force. Those investigations resulted in the following dispositions:

**9** cases were classified as *Exonerated*.

**7** cases were classified as *Not Sustained*.

**1** case were classified as *Sustained*.

**0** cases were still open

*\* 45 of the 62 Exonerated/Unfounded cases were not formally investigated based on the initial review of information gathered by Internal Affairs, which clearly showed officers were within policy.*

## CONCLUSION

The Professional Oversight Unit (POU) is responsible for overseeing administrative cases related to response to resistance (RTR) incidents, JSO vehicle crashes/incidents, and vehicle pursuits, as well as facilitating the operation of the Response to Resistance Review Board, Safety Review Board, Personnel Early Intervention Program, and all process improvement projects for the agency. By having this additional layer of administrative review, JSO can continue to ensure members comply with policy, training, and national standards. The Professional Oversight Unit will continue to review incidents and determine if any modifications to training, policy, practices, or equipment are needed.