

Wednesday, July 15th

Presentation and discussion with Chief Franklin and the Tulsa Police Department on the comprehensive study titled, "A Multi-Method Investigation of Officer Decision-Making and Force Used or Avoided in Arrest Situations", and anticipated action steps related to the findings of that study.

Recommendations

- 1. Expand Use of Force Data Collection**
- 2. Improve documentation of force, injuries and civilian demeanor**
- 3. Capture Instances When Deadly Force Could Have Been Used But Was Not**
- 4. Review the Training and Force Practices of the Police Canine Unit**
- 5. Review UOF policy and training**

Expand Use of Force Data Collection

We are making changes within our Use of Force policy and Blueteam system to capture lower levels of force that we previously did not capture. These changes will capture physical control holds greater than a firm grip or gesture even when they do not result in a reported injury. As a result of this change, City Council and the public should expect reported use of force to increase even though the mechanics of our arrest and use of force processes will remain the same. We also expect the ratio of injuries vs use of force to decline and the average level of force used to decline.

Improve documentation of force, injuries and civilian demeanor

Dr. Engel and Dr. Smith recommended that we improve documentation of whether a subject was intoxicated on drugs or alcohol, whether their resistance was passive or active, the types of injuries sustained due to a use of force incident, and the utilization of de-escalation techniques. We have already added data collection points in drop-down menus within the use of force report to capture the officer's perception of drug or alcohol usage, whether resistance was passive or active, and expanded the drop-down menu capabilities to categorize types of injuries in addition to the location of injuries. Soon, we will be adding de-escalation techniques attempted for all persons subjected to a use of force.

We have only received data schema for the Arrest and Booking reports from Tulsa County within the last couple of weeks. We have a meeting scheduled within the RMS team to evaluate capturing some of these metrics for all arrestees to gain a better picture of our ability to de-escalate all arrest situations and to track some of the previously discussed metrics.

Capture Instances When Deadly Force Could Have Been Used But Was Not Used

Dr. Engel discussed the lack of a systemic practice or methodology to capture these instances in the law enforcement profession but hinted that there were some agencies attempting to develop this capability. I have recently reached out to Dr. Engel to see if she is aware of any agencies having success. We will also reach out to MCCA, IACP, and CALEA for any direction they may have on capturing this metric.

The decision to use any force, including deadly force, is subject to a great many variables and finding an objective way to capture these instances of when we didn't do something would be impractical.

Review the Training and Force Practices of the Police Canine Unit

Our Special Operations Division Commander, Major Laurel Roberts, attended and participated in a Police Executive Research Forum discussion on December 5-6 of 2019 on K9 policies and practices. She brought back industry-wide perspectives and current practices on the use of K9 units in law enforcement.

At Chief Franklin's direction, the information developed from the PERF discussion were incorporated into a revision of our K9 policy which is now out for staff review and comment prior to final approval. This new policy reflects a substantive change in the way the Tulsa Police Department uses our K9s. In alignment with Dr. Engel and Dr. Smith's recommendation our department will focus on using a K9 as a location tool first and an option in the use of force continuum to apprehend a subject only when that subject refuses to surrender. The policy has also been strengthened to restrict the usage of K9 for locating/apprehending in misdemeanors to extreme circumstances and provides guidance to staff and supervisors to evaluate the appropriateness of employing a K9 in those situations.

What is perhaps just as important is the emphasis Chief Franklin and the staff at the Tulsa Police Department are placing on an evolving culture. Well before the draft policy was crafted, the message was delivered to our personnel that we were going to do business differently with respect to K9 usage. The proportion of uses of force by K9 as a ratio of our overall uses of force was 28% as presented in the IACP study we are discussing. I ran the numbers from February of 2020, when Chief Franklin was appointed until the end of June and that same metric was 8%. Although 2020 has been far from a normal year and caution should be used when making comparisons, we are optimistic that this much lower ratio reflects an understanding of Chief Franklin's vision.

We are hosting outside training on issues in K9 liability in September to better educate our staff.

Review UOF policy and training

The entire Use of Force policy is being reviewed and substantial changes are being made to reflect IACP recommendations. These changes include:

Pursuant to findings that the use of a Conducted Energy Weapon was statistically significant to the likelihood of a reduction in officer and citizen injuries, all personnel trained in the use of a CEW and equipped with a CEW will be required to carry that tool on their person in patrol situations.

Some cleanup work is underway in the use of force policy to reconcile minor discrepancies in oversight pathways that have evolved over the years as use of force tools were added to the continuum. This work should increase consistency and accountability while reducing the potential for misunderstanding.