



# BOARDMAN POLICE DEPARTMENT

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## **Annual Boardman Police Department Review of Use of Force, Vehicle Pursuits, and Self-Initiated Vehicle Stops: 2022**

The duties of a police officer to protect life and property and to apprehend criminals by their very nature may necessarily involve the use of some degree of force. But the force used must be reasonably balanced against the resistance faced in the lawful performance of their duties. Officers of the Boardman Police Department may at times encounter resistance or aggression while engaged in the execution of their lawful duties. Our Officers will respond to resistance or aggression with that degree of force which is necessary and reasonable in accordance with the objective reasonableness standard set by statutes and judicial precedence.

It is the policy of the Boardman Police Department to collect and analyze data related to the use of force, conduct training in the proper application of force, and continually work to identify and address any issues related to the use of force by our department. As part of this ongoing effort, we will adjust our policies and procedures when necessary. This report highlights the results of the 2022 review of the use of force and other enforcement functions.

### **Areas of Focus**

In previous years the Boardman Police Department updated use of force policies to highlight areas to include the use of chokeholds and officers' duty to intercede. The department continues the process of reviewing and updating all of our policies through Lexipol, a consulting company focused on best practices and risk mitigation for law enforcement. This process has involved going through every policy, line by line, and applying nationally recognized best practices as applied to how our department operates in our community.

Training in law enforcement is the basis for officers having the knowledge, skills, and focus to conduct themselves in a professional manner while carrying out their duties. The Boardman Police Department completed an extensive training program in 2022. This training included departmental-directed training and also training mandated through Ohio's Police Officer Training Academy (OPOTA). These areas included:

Responding to Mental Health/Persons in Crisis  
Diversity, Inclusion, Equity  
Officer/Employee Personal Wellness  
Responding to Sexual Assaults  
Communications/Dispatch Center

Use of Force  
Legal Updates  
Domestic Violence  
Emergency Driving/Stops  
Firearms, Tactics, Medical

A highlight of our 2022 training was a four-hour block for our officers titled "Diversity – The Culture of Poverty." This training was provided by Guy Burney, the executive director of Youngstown's Community Initiative to Reduce Violence (CIRV). Mr. Burney is considered a subject matter expert in the state and is certified through OPOTA as an instructor. After Mr.

Burney worked with the department's supervisors in 2021, we felt it was important to bring him in this year to work with all of our sworn officers.

A 2022 focus of the Boardman Police Department was hiring and employee retention. The department was awarded a \$25,000 recruiting grant that we utilized to reach a diverse employment pool with an emphasis on attracting people new to the law enforcement profession. In another significant grant from the state, we were able to offer hiring bonuses which were used to support the goals of our hiring initiative.

In November 2022 the department adopted the use of patrol vehicle-mounted dash cameras. This is an extension of the department's body-worn camera (BWC) system adopted in 2021. The vehicle cameras provide an additional angle to the BWC footage captured by the officer's worn camera. Both systems are instrumental in memorializing interactions between the public and the department's officers.

### **Review of 2022 Data**

The consistent review of department operational data is important. Especially comparing year to year statistics to assess trends, effects of department changes in policy/practices, staffing, etc. Reviewing data is only one part of assessing our operations as there are likely several changing variables that will affect the data. Each call or event that contributes to the data should be looked at based on the specific situation and facts surrounding the event. In addition to the use-of-force events, we will also present data on vehicle pursuits and self-initiated vehicle stops which are important, but potentially volatile, enforcement functions of our department.

### **Use of Force**

An important aspect of the use of force encounters is our departmental policy that guides officers on a daily basis. Aspects of the Boardman Police Department's Use of Force policy are outlined below:

*The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.*

*Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.*

*The Boardman Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.*

*Any use of force by a member of this department shall be documented promptly, completely, and accurately in an Apprehension and Detention Report, depending on the nature of the incident. The officer should articulate the factors perceived and why they believed the use of force was reasonable under the circumstances. Officers will*

*complete a BPD Apprehension and detention Report documenting the use of force which will be forwarded through the chain of command to the Chief of police.*

Generally, use of force are events where officers specifically encountered resistance or aggression from someone during an interaction. Use of force may be defined as anything from minimal physical contact by the officer, up to the use of deadly force. The level of force used by the officer is to be reasonable and to the level necessary to gain compliance. While these events typically result in an arrest, not all (in fact most arrests) result in a use of force. It should be noted that in addition to the minimal number of arrests that result in a use of force incident, the vast majority of thousands of interactions the department has with the public do not lead to the use of force by our officers.

For each arrest, a departmental “Apprehension and Detention” form is completed by the arresting officer which details the circumstances encountered during the arrest. For any arrest where resistance or aggression is encountered from the subject, additional steps are completed. The on-duty supervisor will attempt to interview the arrested individual to provide an opportunity for them to give a statement specifically about their interaction with the arresting officers(s). The Apprehension and Detention report is completed with specific sections outlining both the arrested individual and officer(s) actions and response. The report is forwarded to the department Administration for review which includes an evaluation of any available body worn camera (BWC) or dash camera footage of the incident. The data obtained through this process is used to compile the end of year review which is summarized here.

The results of the 2022 review are attached, with a general overview listed below:

<u>2022 Arrests:</u>	<u>Total: 1313</u>
Incidents w/Resistance/Aggression Encountered:	58 - 4.4% of all arrests
Adults:	50 – 86.2% of uses of force
Juveniles:	8 - 13.7%
Male:	37 - 63.7%
Female:	21 - 36.2%
Race (White):	31 – 53.4%
Minority (All):	27 – 46.5%
Use of Taser:	11 - 18.6%

Historical Data:

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>
Total Arrests:	1313	1144	1352	1529	1755	1819	1671	1824	1832	1939	1757
Uses of Force:	58	71	57	78	83	66	68	48	60	46	63
% of U. of Force (during all arrests)	4.4%	6.2%	4.2%	5.1%	4.7%	3.6%	4.0%	2.6%	3.2%	2.3%	3.5%

### **Vehicle Pursuits**

Police vehicle pursuits are a necessary but potentially hazardous law enforcement function. The exposure of innocent citizens, law enforcement officers, and fleeing violators to the risk of serious injury or death is a primary consideration of the department when initiating, continuing, or terminating a pursuit. The department’s policy, training, and decision-

making on this provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Every pursuit is documented by the involved officer, reviewed by the chain of command, and forwarded to the Chief of Police. This remains a priority each year for the department's training program.

In 2022, the department engaged in eighteen (18) vehicle pursuits. Of those pursuits, eleven were terminated (called off) by the pursuing officer or on-duty supervisor. In one pursuit, the fleeing individual was involved in an accident and died at the scene. It is important to note that blood tests of the subject indicated his blood alcohol was beyond the legal limit for driving while impaired and there was no physical contact with his vehicle and our officers. The pursuit lasted 1 minute and five seconds over .8 miles after the subject was observed by the officer driving erratically as they passed traveling in opposite directions. Historical, including 2022, data are listed below:

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>
Total Number of Pursuits:	18	12	14	9	10
Pursuits in Policy Compliance:	18	12	14	8	10
Number of Pursuits Ending in Crash:	2	1	1	2	0
Number of Pursuits Ending in Injury:	1	1	1	1	0
Officers:	0	0	0	0	0
Suspects:	1	1	0	1	0
Others:	0	3	1	0	0
Number of Pursuits Terminated:	11	5	6	4	8
Pursuits By Shift:					
Days:	3	2	2	2	0
Afternoons:	6	5	7	2	2
Midnights:	9	5	5	5	8
Average Length of Pursuits (min/sec):	2/32	2/16	2/54	1/34	2/37
Average Distance of Pursuits (miles):	1.9	1.5	2.0	1.5	2.0
Average Speed of Pursuits (mph):	52	46	42	48	50

### **Officer Self-Initiated Vehicle Stops**

An important enforcement tool that proactively affects the safety of our residents and visitors is self-initiated vehicle stops conducted by our officers. This technique can be employed when an officer has reasonable suspicion that a driver has committed a crime or traffic infraction. This is a proactive enforcement action that has a significant and direct impact on keeping our streets safe. While necessary, the practice does have the potential for adverse interactions so full transparency and professionalism by our officers is a priority consideration.

The Boardman Police Department prides itself in being in compliance with all current aspects of the Ohio Collaborative, which promotes best practices for law enforcement in the state. One aspect of this is collecting and reviewing race and gender data as it pertains to self-initiated vehicle stops. While this is a straightforward and important aspect, it is complicated by the fact that race and gender data is not depicted on Ohio driver's license data as it once one. To comply with the Ohio Collaborative for vehicle stops, in May 2021 we changed our policy. Officers were directed to collect and report this data for each stop. The data is inputted by our dispatchers for each traffic stop. The issue now is, our officers must characterize a person's race through their observations, or directly ask the person, which

then has the potential of affecting the interaction by having to insert the question of race and gender. We've continued to stress personal interactions through our training program and supervisory oversight (i.e. periodic body camera review).

Even with the potential for issues, the department will continue to collect and assess this data to ensure our actions are professional and driven without bias. For 2022 the following listed data was collected for self-initiated vehicle stops.

<u>Race</u>	<u>Gender</u>
White – 993	Male - 944
Black – 489	Female - 623
Unknown – 195	Unknown - 175
Asian – 6	Not Reported - 20
Latin/Hispanic – 53	
Indian/Alaskan Native – 3	
Not reported – 20	

Historically, the number of vehicle stops performed by the Boardman Police Department has fluctuated based on many factors. Examples are, available staffing, enforcement initiatives, and call volume. Due to the impact of Covid-19, in 2020 and into 2021, a departmental directive was issued limiting vehicle stops to the most egregious violations or known offenders involved in new conduct. The goal was to limit interactions with the public which in turn limited exposure between our officers and the public. This impacted the number of self-initiated traffic stops performed by our officers. Historical data for vehicle stops and uses of force (specifically during a stop). Of note is the low instances of use of force during vehicle stops.

	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>
Vehicle Stops:	1762	1973	2340	4048	6220	6349	6353	5512	5719	6589	5132
Uses of Force: (only during stops)	5	7	4	6	6	8	6	12	6	4	12

### **Summary**

Transparency in policing is the basis for establishing and maintaining the trust of the community. It is the Boardman Police Department's objective to continually assess our operations to ensure they are conducted professionally, fairly, and within the confines of the law and department policy. If you have any questions please do not hesitate to contact me at 330-729-2028, or [twelfth@boardmantwp.com](mailto:twelfth@boardmantwp.com).

Todd D. Werth  
Chief of Police

## Boardman Police Department Response to Resistance/Aggression Analysis 2022

Number of Encounters Resistance/Aggression: 58      % Use of Force During Arrest:  
 Number of Arrests: 1313                                      4.4%

### Subjects:

<b>Adult Total:</b>	50	<b>Juvenile Total:</b>	8	<b>Time Period (Shift) of Arrests:</b>	
Male:	31	Male:	6	Day Turn (6am – 2pm):	11
Female:	19	Female:	2	Afternoon (2pm – 10pm):	30
White:	27	White:	4	Night Turn (10pm – 6am):	17
Minority:	23	Minority:	4		

### Individuals Actions:

Weapons Used Against Officer:	0
Attempting to Disarm Officer:	0
Life Threatening Weaponless Assault:	0
Striking or Kicking Officer:	4
Wrestling With Officer:	8
Pushing Officer:	12
Pulling Away (or fleeing) From Officer:	42
Refusing to Move (dead weight):	21
Not Responding to Commands:	52
Verbal Danger Cues:	39
Physical danger Cues:	43
Subject Complaint of Injury:	12
Subject Evidence of injury:	14
Subject Injured Prior to Officer:	5
Subject Injured During Arrest:	2
Subject Impaired:	22
Medical Treatment:	19

### Officer Response:

Deadly Force:	0
Baton Techniques:	0
Less Lethal Impact Munitions:	0
Striking Structural Areas:	1
OC Aerosol Agents:	1
Baton Restraints:	0
Taser (Electronic Control):	2
Striking Motor Muscle Groups:	2
Takedowns:	14
Joint Manipulation:	21
PPC:	7
Balance Displacement:	20
Assistance From Other Officers:	39
Verbal or Physical Commands:	51
Officer Presence:	53
Use of Taser:	11
Officer Injuries During Arrest:	3

### Departmental Review:

Subject Interviewed by Supervisor:	48
Cooperative Subject During Interview:	36
Body Worn Camera – Reviewed by Administration:	58