

Polk County Sheriff's Office
OFFICE OF CHIEF OF STAFF
ADMINISTRATIVE INVESTIGATIONS SECTION



2008 Protective Action Annual Report

April 1, 2009

TABLE OF CONTENTS

Introduction6

2008 Protective Action Incident Summary.....7

**2008 Protective Action Incidents by Bureau/District
Department of Law Enforcement9**

**2008 Protective Action Incidents by Bureau/Facility
Department of Detention 11**

2008 Level 6 Protective Action Incidents..... 13

**2008 Level 4 Electromuscular Disruption (EMD)
Device Protective Action Incidents..... 16**

2008 Level 4 Canine Protective Action Incidents 19

2008 Early Intervention Program (EIP) Alerts21

2008 Arrests Involving the Use of Protective Action22

**2008 Protective Action Incidents Demographic
Summary.....24**

TABLES, CHARTS & EXHIBITS

TABLE 1 **2008 Protective Action Incidents**
Polk County Sheriff’s Office.....6

TABLE 2 **2008 Protective Action Incidents by Bureau/District**
Department of Law Enforcement8

TABLE 3 **2008 Protective Action Incidents by Bureau/Facility**
Department of Detention.....10

TABLE 4 **2008 Level 6 Protective Action Incidents by**
Bureau/District Department of Law Enforcement.....13

TABLE 5 **2008 Level 4 EMD Protective Action Incidents by**
Bureau/District Department of Law Enforcement.....16

TABLE 6 **2008 Level 4 Canine Protective Action Incidents by**
Bureau/District Department of Law Enforcement.....18

TABLE 7 **2008 Arrests Involving the Use of Protective Action**
Polk County Sheriff’s Office21

TABLE 8 **2008 Protective Action Incidents by Day of Week**
Department of Law Enforcement23

TABLE 9 **2008 Protective Action Incidents by Day of Week**
Department of Detention24

TABLE 10 **2008 Protective Action Incidents by Subject Age**
Group Department of Law Enforcement.....25

TABLE 11 **2008 Protective Action Incidents by Subject Age**
Group Department of Detention.....27

TABLE 12 **2008 Protective Action Incidents by Member Age**
Group Department of Law Enforcement.....29

TABLE 13 **2008 Protective Action Incidents by Member Age**
Group Department of Detention.....30

CHART 1 2008 Protective Action Incidents.....7

CHART 2 2008 Protective Action Incidents by Bureau/District
Department of Law Enforcement.....9

CHART 3 2008 Protective Action Incidents by Bureau/Facility
Department of Detention.....11

CHART 4 2008 Level 6 Protective Action Incidents by Bureau/
District Department of Law Enforcement.....14

CHART 5 2008 Level 4 EMD Protective Action Incidents by
Bureau/District Department of Law Enforcement.....17

CHART 6 2008 Level 4 Canine Protective Action Incidents by
Bureau/District Department of Law Enforcement.....19

CHART 7 2008 Arrests Involving the Use of Protective Action
Polk County Sheriff’s Office.....22

CHART 8 2008 Protective Action Incidents by Day of Week
Department of Law Enforcement.....23

CHART 9 2008 Protective Action Incidents by Day of Week
Department of Detention.....24

CHART10 2008 Protective Action Incidents by Subject Age
Group Department of Law Enforcement.....26

CHART 11 2008 Protective Action Incidents by Subject Age
Group Department of Detention.....28

CHART 12 2008 Protective Action Incidents by Member Age
Group Department of Law Enforcement.....29

CHART 13 2008 Protective Action Incidents by Member Age
Group Department of Detention.....30

CHART 14 2008 Protective Action Incidents by Subject Race
Department of Law Enforcement.....31

CHART 15 2008 Protective Action Incidents by Subject Race
Department of Detention.....32

EXHIBIT 1 Polk County Sheriff’s Office
Protective Action Response to Resistance Continuum.....33

INTRODUCTION

Pursuant to P.C.S.O. General Order 1.5 – Protective Action, and CALEA Standard 1.3.13, an annual review and analysis regarding the agency use of protective actions has been completed.

The 2008 Protective Action Annual Report provides a comprehensive review of all reported protective actions by agency members during 2008 and provides a detailed summary and analysis of protective action incidents within each department/office, division, and bureau/district component of the agency.

The Sheriff's Office Protective Action Policy is delineated in General Order 1.5 – Protective Action. The agency's policy is to establish and maintain stringent guidelines governing the use of protective actions by agency members. Designated agency members are trained in the lawful and approved methods of self-defense and use of authorized protective actions, wherein appropriate levels of protective action may be used to overcome particular levels of subject/suspect resistance. Members acting within their official capacity may use only that level of protective action which is reasonably necessary to affect lawful enforcement objectives. Justification for engaging protective actions is those facts known or perceived by a member, given the "totality of the circumstances" at the time protective action is utilized.

The response continuum is illustrated in the Polk County Sheriff's Office Protective Action Response to Resistance Continuum - PCSO Form 563 (Exhibit 1.) All certified, sworn, and designated civilian agency members receive mandatory in-service training governing the use of protective actions which includes a comprehensive review of the agency's policy and legal issues regarding same.

In accordance with agency policy, all members are required to report and document the use of protective action. Department of Law Enforcement members are required to report, document, and complete a Protective Action Report (PCSO Form 206A) when engaging in any Level 4 or higher use of protective action. Department of Detention members are required to report, document, and complete a PCSO Protective Action Report when engaging in any Level 3 or higher use of protective action. All Protective Action Reports are reviewed by supervisory/command staff for policy compliance. All Protective Action Reports are either approved by command staff and/or referred to the proper authority for further review and inquiry/investigation regarding policy compliance and/or training issues.

There were no reported uses of protective action within the Office of the Sheriff and the Office of Business Affairs during 2008. All reported protective action incidents during 2008 involved members assigned to the Department of Law Enforcement and the Department of Detention.

All approved Protective Action Reports are forwarded to the Administrative Investigations Section (AIS) for review and entry into the computerized Administrative Investigations Management (AIM) System. The protective action data is then tracked for contemporaneous review and reporting purposes in conjunction with the agency's Early Intervention Program (EIP).

A copy of all approved Protective Action Reports is forwarded to the Training Section for subject matter expert review regarding training/proficiency requirements, equipment, and officer safety issues.

2008 PROTECTIVE ACTION INCIDENT SUMMARY

A total of **421 protective action incidents** were documented in the Polk County Sheriff's Office for the period from January 1, 2008 through December 31, 2008. This represents a **decrease of 126 (-23.0%)** from 2007 (547) as summarized below (Table 1).

Table 1 and Chart 1 summarize the total number of 2008 protective action incidents occurring within the Polk County Sheriff's Office.

2008 PROTECTIVE ACTION INCIDENTS POLK COUNTY SHERIFF'S OFFICE

DISTRICT/BUREAU	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Office of the Sheriff	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Department of Law Enforcement - DLE	180	212	156	<i>+32/+17.8%</i>	<i>-56/-26.4%</i>
Department of Detention - DOD	303	335	265	<i>+32/+10.6%</i>	<i>-70/-20.9%</i>
Office of Business Affairs - OBA	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
TOTAL PROTECTIVE ACTION INCIDENTS	483	547	421	<i>+64/+13.3%</i>	<i>-126/-23.0%</i>

TABLE 1

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent.

2008 PROTECTIVE ACTION INCIDENTS

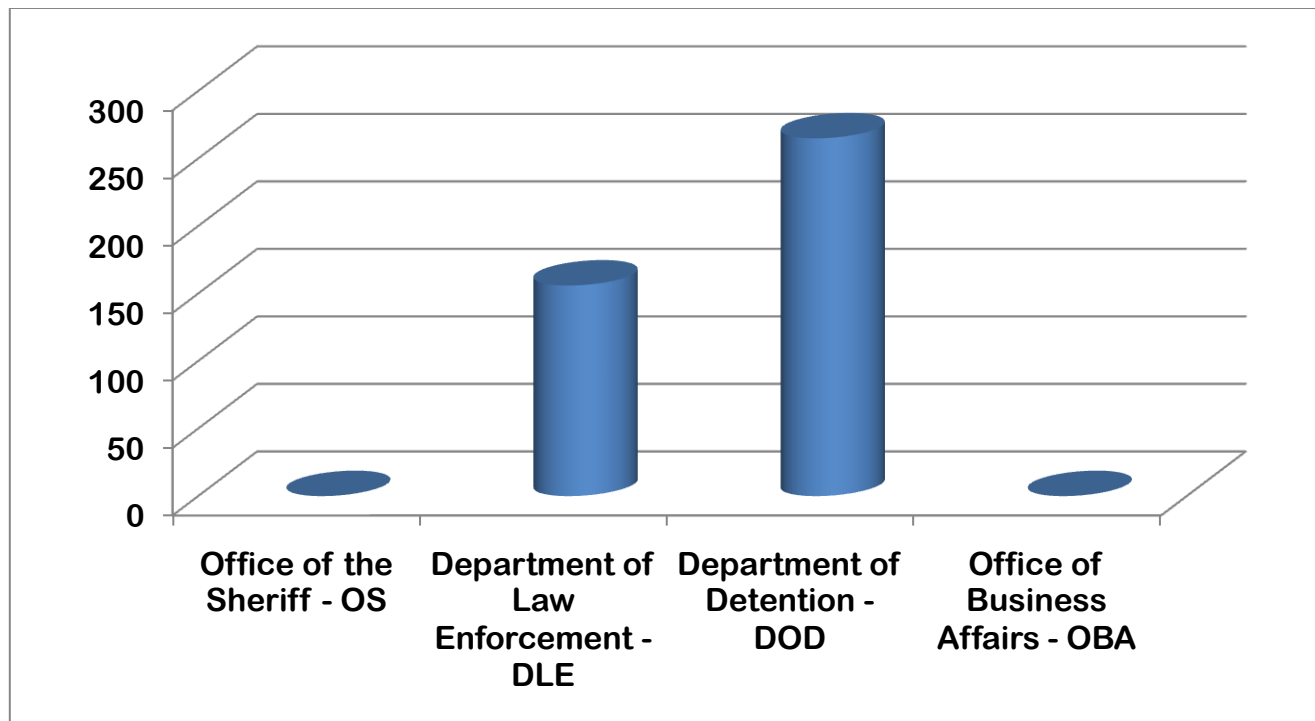


CHART 1

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

A review of the reported 2008 protective action data revealed the following:
[CALEA 1.3.13]

Training Issues

Analysis by Training Section subject matter experts did not reveal any patterns or trends that identified any specific training/proficiency issues regarding member use of protective action.

During 2008, the Training Section placed a chain and signs across the entrance to the cleaning station to serve as reminders to members to ensure their weapons are unloaded. This was done to reduce the likelihood of accidental discharges during weapon cleaning.

Policy

Analysis by Command/Supervisor subject matter experts did not reveal any patterns or trends that could indicate the requirement for policy review/modification regarding protective action.

Equipment

Analysis by Training Section subject matter experts did not reveal any patterns or trends that could indicate the requirement for protective action equipment upgrade/acquisition.

2008 PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT
DEPARTMENT OF LAW ENFORCEMENT

A total of 156 protective action incidents were reported and documented in the Department of Law Enforcement between January 1, 2008 and December 31, 2008. Of the 156 protective action incidents, 147 were at Level 4 and above. This represents a 22.6% overall decrease (43) from 2007 Protective Action incidents (Level 4 and above), as summarized on Page 10 (Table 2).

It should be noted that the number of dispatched calls for service in 2008 increased (277,109 in 2008 versus 271,637 in 2007). This represents an increase of 2.0% (5472) calls for service.

The total number of 2008 Department of Law Enforcement protective action incidents (Level 4 and above) occurring within specific divisions and districts/bureaus are summarized as follows:

Table 2 and Chart 2 summarize the total number of 2008 Department of Law Enforcement protective action incidents occurring within specific divisions and bureaus/districts.

2008 PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT
DEPARTMENT OF LAW ENFORCEMENT

BUREAU/DISTRICT	LEVEL 4	LEVEL 5	LEVEL 6	TOTALS
Bureau of Criminal Investigations – BCI	0	0	0	0
Bureau of Special Investigations – BSI	0	0	0	0
CRIMINAL INVESTIGATIONS DIVISION	0	0	0	0
Bureau of Support Services - BSS	0	0	0	0
Bureau of Support Operations - BSO	0	0	3	3
SPECIAL OPERATIONS DIVISION	0	0	3	3
Central District - CEN	3	0	1	4
Northeast District - NE	28	0	5	33
Southeast District - SE	35	0	6	41
EAST DIVISION	66	0	12	78
Northwest District - NW	29	0	4	33
Southwest District - SW	29	0	4	33
WEST DIVISION	58	0	8	66
TOTALS EACH LEVEL – 2008	124	0	23	147
PERCENTAGE – 2008	84.4%	0.0%	15.6%	100.0%
TOTALS EACH LEVEL – 2007	173	1	15	189
TOTALS EACH LEVEL – 2006	154	3	6	163
PERCENT INCREASE OR DECREASE 2007/2008	-28.3%	-100.0%	+43.8%	-22.6%
PERCENT INCREASE OR DECREASE 2006/2007	+12.3%	-66.7%	+166.7%	+16.6%

TABLE 2

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT DEPARTMENT OF LAW ENFORCEMENT

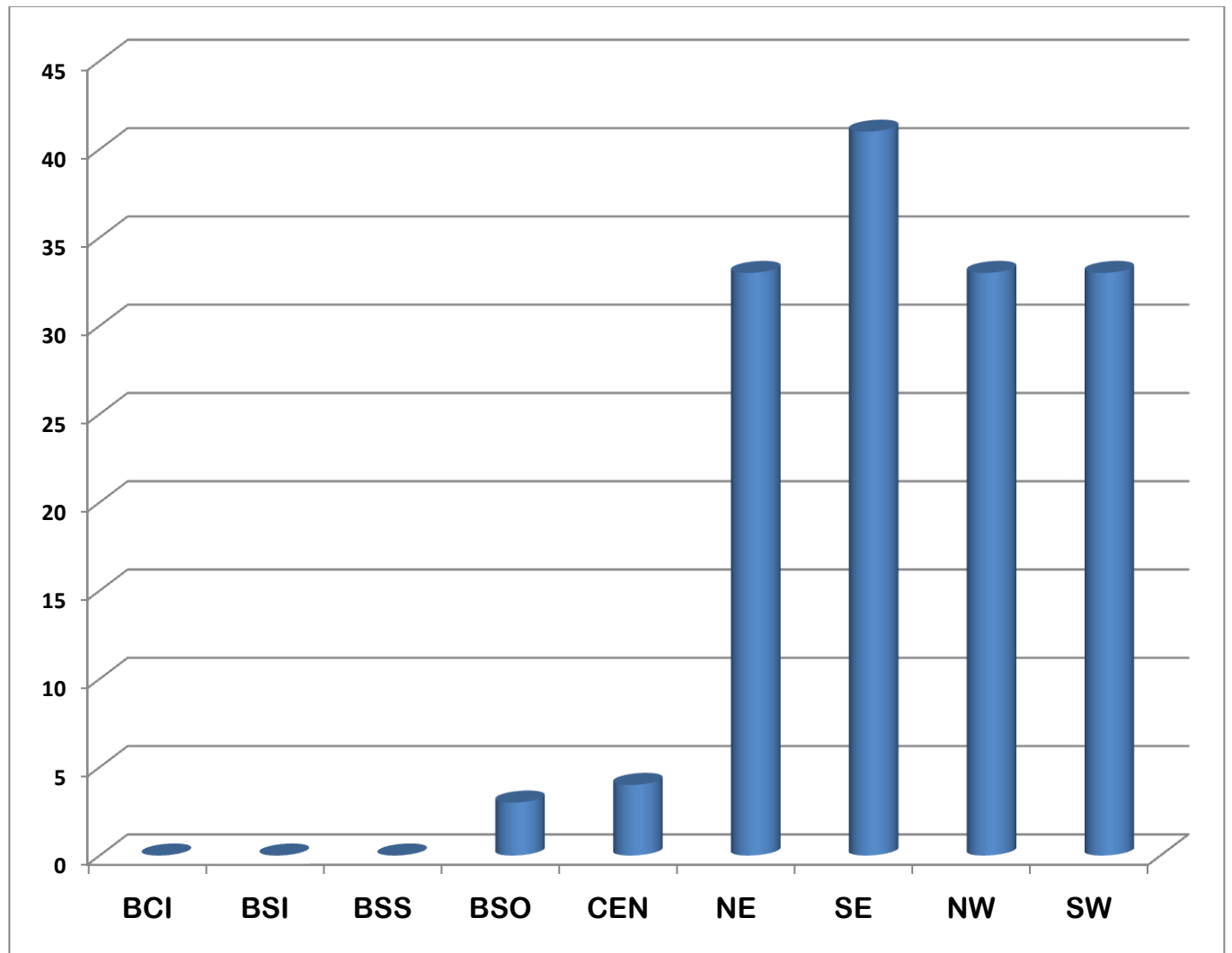


CHART 2

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 PROTECTIVE ACTION INCIDENTS BY BUREAU/FACILITY
DEPARTMENT OF DETENTION

A total of 265 Level 3 and above protective action incidents were reported and documented within the Department of Detention between January 1, 2008 and December 31, 2008. This represents a 20.9% overall decrease from 2007 protective action incidents Level 3 and above (335) as summarized on Page 13 (Table 3).

It should also be noted that the total number of Department of Detention housed inmates also decreased by 1,646 inmates (31,915 in 2007 and 30,269 in 2008), which represents a 5.2% decrease in inmate population.

Table 3 and Chart 3 summarize the total number of 2008 Department of Detention Level 3 and above protective action incidents occurring within specific divisions and bureaus/facilities.

2008 PROTECTIVE ACTION INCIDENTS BY BUREAU/FACILITY
DEPARTMENT OF DETENTION

LOCATION	LEVEL 3	LEVEL 4	LEVEL 5	LEVEL 6	TOTALS
Central County Jail - CCJ	58	33	0	0	91
South County Jail - SCJ	47	85	2	0	134
S.T.A.R. Program - STAR	3	0	0	0	3
SECURITY DIVISION	108	118	2	0	228
Court & Support Services - C&SS	8	0	0	0	8
Intake and Records Bureau - I&RB	24	5	0	0	29
SUPPORT DIVISION	32	5	0	0	37
TOTALS EACH LEVEL – 2008	140	123	2	0	265
PERCENTAGE – 2008	52.8%	46.4%	.8%	0.0%	100.0%
TOTALS EACH LEVEL – 2007	197	130	8	0	335
TOTALS EACH LEVEL – 2006	177	116	10	0	303
PERCENT INCREASE OR DECREASE 2007/2008	-28.9%	-05.4%	-75.0%	0.0%	-20.9%
PERCENT INCREASE OR DECREASE 2006/2007	+11.3%	+12.1%	-20%	0.0%	+10.6%

TABLE 3

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 PROTECTIVE ACTION INCIDENTS BY BUREAU/FACILITY
DEPARTMENT OF DETENTION

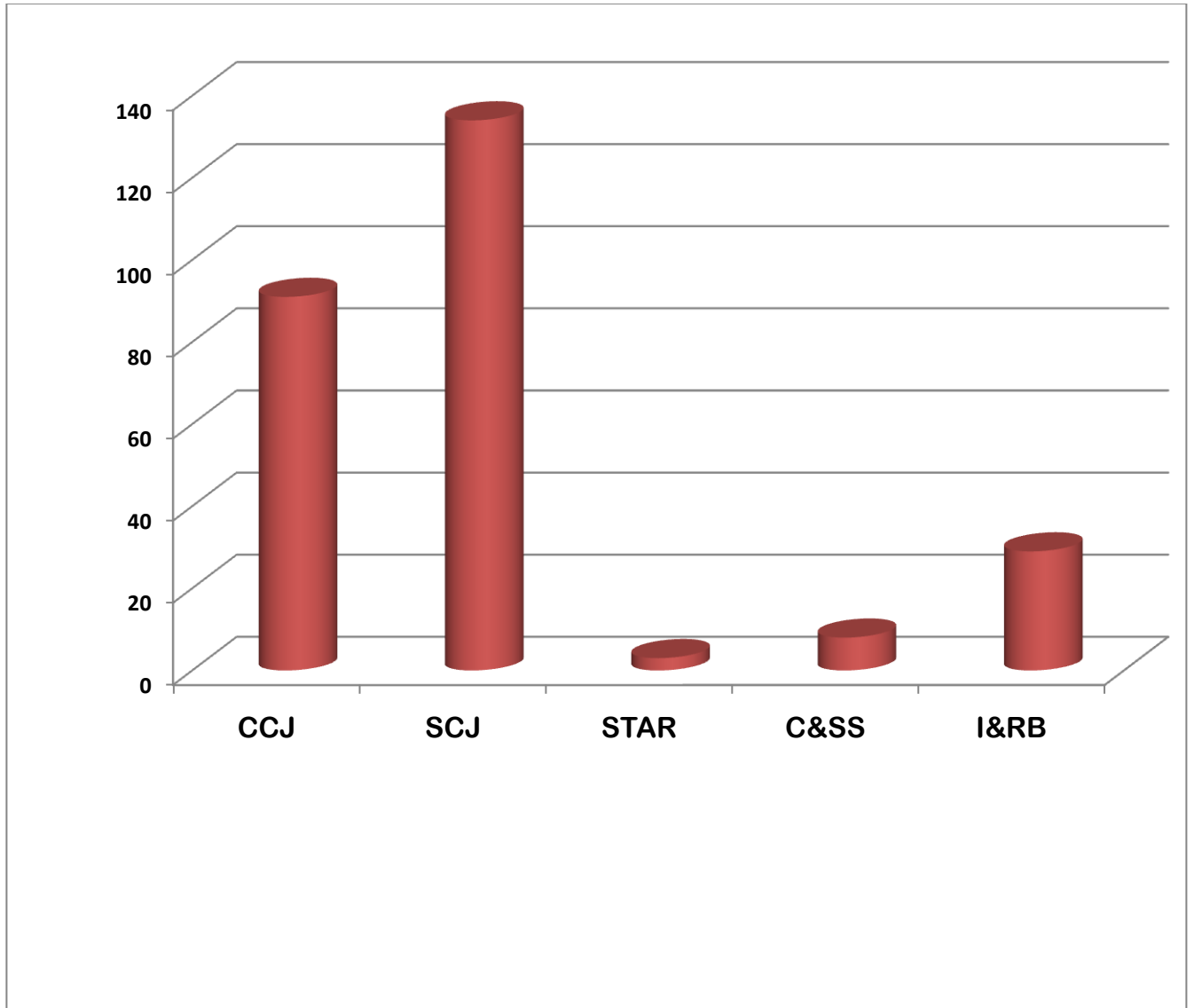


CHART 3

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 DEADLY PROTECTIVE ACTION SUMMARY

There were no Level 6 protective actions reported in the Office of the Sheriff, the Department of Detention or the Office of Business Affairs.

The Department of Law Enforcement reported **twenty-three (23) instances of Level 6 use of protective action** in 2008. This represents an **increase of 7 (+43.8%)** from 2007 (16).

Eighteen (18) of the twenty-three (23) **Level 6 protective action incidents** that occurred during 2008 were responses by Department of Law Enforcement Deputy Sheriffs to incidents involving injured or dangerous animals. All involved the use of agency-issued firearms. All were properly reported, documented and approved by supervisory/command staff, requiring no further inquiry/investigation. The review of these incidents determined that no policy violations occurred.

Two (2) of the remaining Level 6 protective action incidents occurring during 2008 involved authorized legal interventions with agency-issued motor vehicles involved in authorized pursuits to halt suspect vehicles. During the first of the two motor vehicle incidents, LP08-140 (occurring in the Southwest District), stop sticks were previously deployed. The second of the two motor vehicle incidents, LP08-141, occurred in the Northwest District. These incidents were properly reported, documented and approved by supervisory/command staff, requiring no further inquiry/investigation. The review of these incidents determined that no policy violations occurred.

The three (3) remaining uses of Level 6 protective action (firearms) against individuals were investigated in 2008. These incidents were documented and assigned a complaint referral (CR) number. In accordance with G.O. 52.1 – Administrative Inquiries and Investigations, these incidents were investigated by the AIS and resulted in the following:

- 1) AI08-22. On 3/21/08, a deputy utilized deadly protective action during a call for service wherein a subject attacked and repeatedly stabbed the deputy with a knife. The deputy utilized his agency issued sidearm and shot the subject who was pronounced dead at the scene. The deputy was hospitalized and treated for his injuries. The administrative investigation concluded on 8/26/08 with a finding of “Other; No Violation Noted.”
- 2) AI08-61. On 10/3/08, two deputies utilized deadly protective action while they were performing their duties as narcotics detectives when they confronted a subject who produced a firearm from his pocket. The deputies fired their agency issued sidearms at the subject. The deputies were uninjured and the subject was medically treated and booked into jail. The administrative investigation concluded on 12/18/08 with a finding of “Other; No Violations Noted.”
- 3) AI08-64. On 8/20/08, a deputy utilized deadly protective action during a call for service when the deputy observed an unrelated crime in progress and intervened. The subject drove a motor vehicle at the deputy and the deputy fired his agency issued sidearm at the vehicle. The deputy was uninjured and the subject was later arrested unharmed. The administrative investigation concluded on 12/31/08 with a finding of “Other; No Violations Noted.”

Table 4 and Chart 4 summarize the total number of 2008 Department of Law Enforcement Level 6 protective action incidents occurring within specific districts/bureaus.

2008 LEVEL 6 PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT
DEPARTMENT OF LAW ENFORCEMENT

DISTRICT/BUREAU	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Bureau of Criminal Investigations - BCI	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Bureau of Special Investigations - BSI	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Bureau of Support Services - BSS	1	2	0	<i>+1/+100.0%</i>	<i>-2/-100.0%</i>
Bureau of Support Operations - BSO	0	4	3	<i>+4/+400.0%</i>	<i>-1/-25.0%</i>
Central District	0	0	1	<i>0/0.0%</i>	<i>+1/+100.0%</i>
Northeast District - NE	0	0	5	<i>0/0.0%</i>	<i>+5/+100.0%</i>
Southeast District - SE	3	4	6	<i>+1/+33.3%</i>	<i>+2/+50.0%</i>
Northwest District - NW	2	4	4	<i>+2/+50.0%</i>	<i>0/0.0%</i>
Southwest District - SW	1	2	4	<i>+1/+50.0%</i>	<i>+2/+50.0%</i>
TOTAL LEVEL 6 PROTECTIVE ACTION INCIDENTS	7	16	23	<i>+9/+128.6%</i>	<i>+7/+43.8%</i>

TABLE 4

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 LEVEL 6 PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT
DEPARTMENT OF LAW ENFORCEMENT

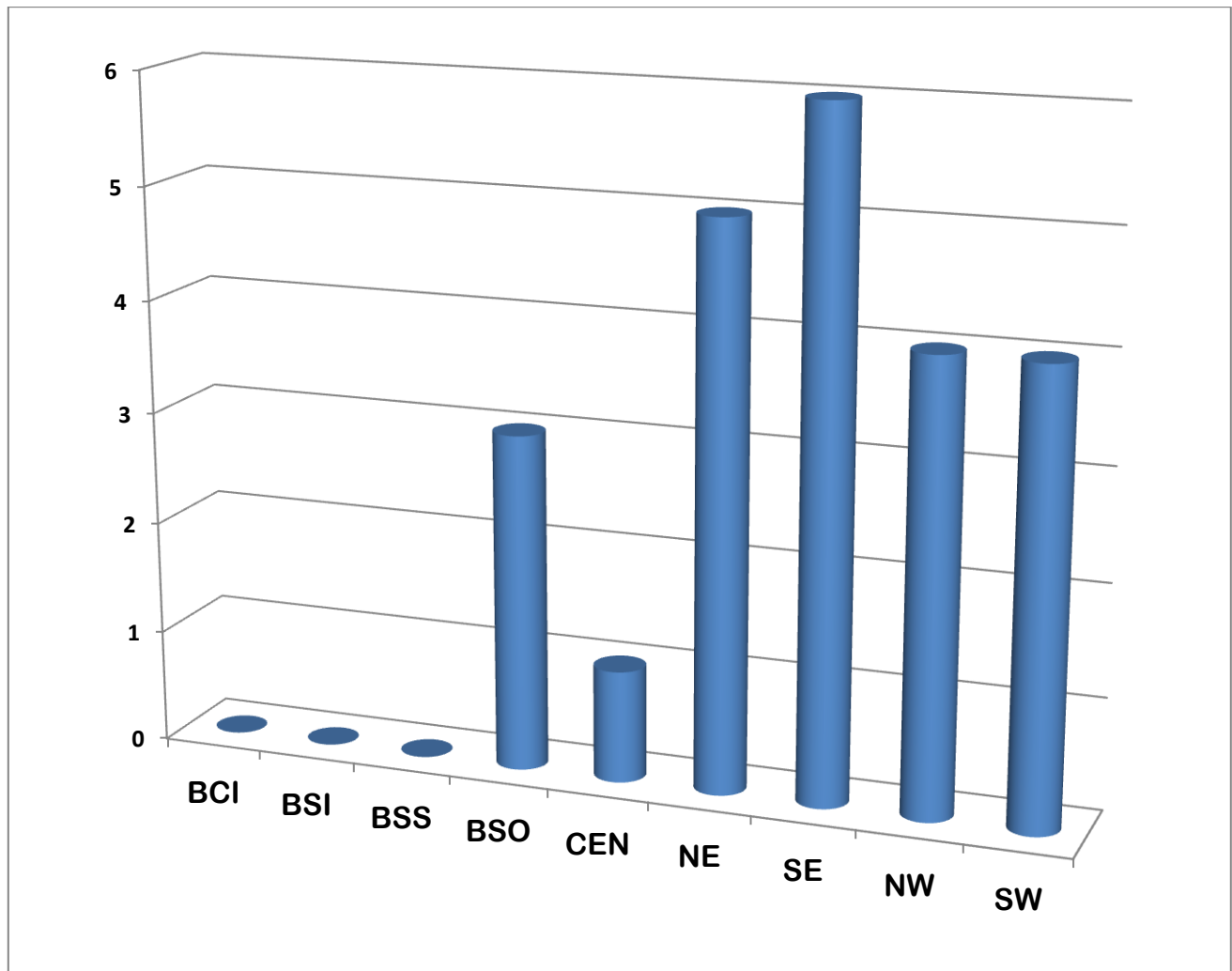


CHART 4

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 LEVEL 4 ELECTROMUSCULAR DISRUPTION (EMD) DEVICE PROTECTIVE ACTION INCIDENTS

There were no reported Level 4 protective action incidents involving the use of Electromuscular Disruption (EMD) devices (Taser®) within the Office of the Sheriff or the Office of Business Affairs during 2008.

There were **87** reported Department of Law Enforcement **Level 4 protective action incidents** in 2008 involving the use of EMDs. This represents a **decrease of 56 (-39.2%)** from 2007 (143) as summarized below (Table 5). All incidents were properly reported and documented. All Protective Action Reports were reviewed and approved by supervisory/command staff, requiring no further inquiry/investigation. No policy violations were noted.

There were **7** reported Department of Detention **Level 4 protective action incidents** in 2008 involving the use of EMDs. One incident was reported at the South County Jail and the other six incidents were reported at the Central County Jail. This represents an **increase of 5 (+250.0%)** from 2007 (2). All incidents were properly reported and documented. All Protective Action Reports were reviewed and approved by supervisory/command staff, requiring no further inquiry/investigation. No policy violations were noted.

An analysis completed by the Training Section subject matter experts of all reported 2008 Level 4 EMD protective action incidents revealed no patterns or trends that would require equipment upgrades, in-service training and/or policy modifications.

Table 5 and Chart 5 summarize the total number of 2008 Department of Law Enforcement Level 4 EMD protective action incidents occurring within specific divisions and bureaus/districts.

**2008 LEVEL 4 EMD PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT
DEPARTMENT OF LAW ENFORCEMENT**

BUREAU/DISTRICT	YEAR 2006	YEAR 2007	YEAR 2008	NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007	NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008
Bureau of Criminal Investigations – BCI	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Bureau of Special Investigations – BSI	5	1	0	<i>-4/-80.0%</i>	<i>-1/-100.0%</i>
Bureau of Support Services - BSS	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Bureau of Support Operations - BSO	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Central District - CEN	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Northeast District - NE	24	21	22	<i>-3/-12.5%</i>	<i>+1/+4.8%</i>
Southeast District - SE	38	63	26	<i>+25/+65.8%</i>	<i>-37/-58.7%</i>
Northwest District - NW	15	26	20	<i>+11/+73.3</i>	<i>-6/-23.1%</i>
Southwest District - SW	28	32	19	<i>+4/+14.3%</i>	<i>-13/-40.6%</i>
TOTAL LEVEL 4 EMD PROTECTIVE ACTION INCIDENTS	110	143	87	<i>+33/+30.0</i>	<i>-56/-39.2%</i>

TABLE 5

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

**2008 LEVEL 4 EMD PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT
DEPARTMENT OF LAW ENFORCEMENT**

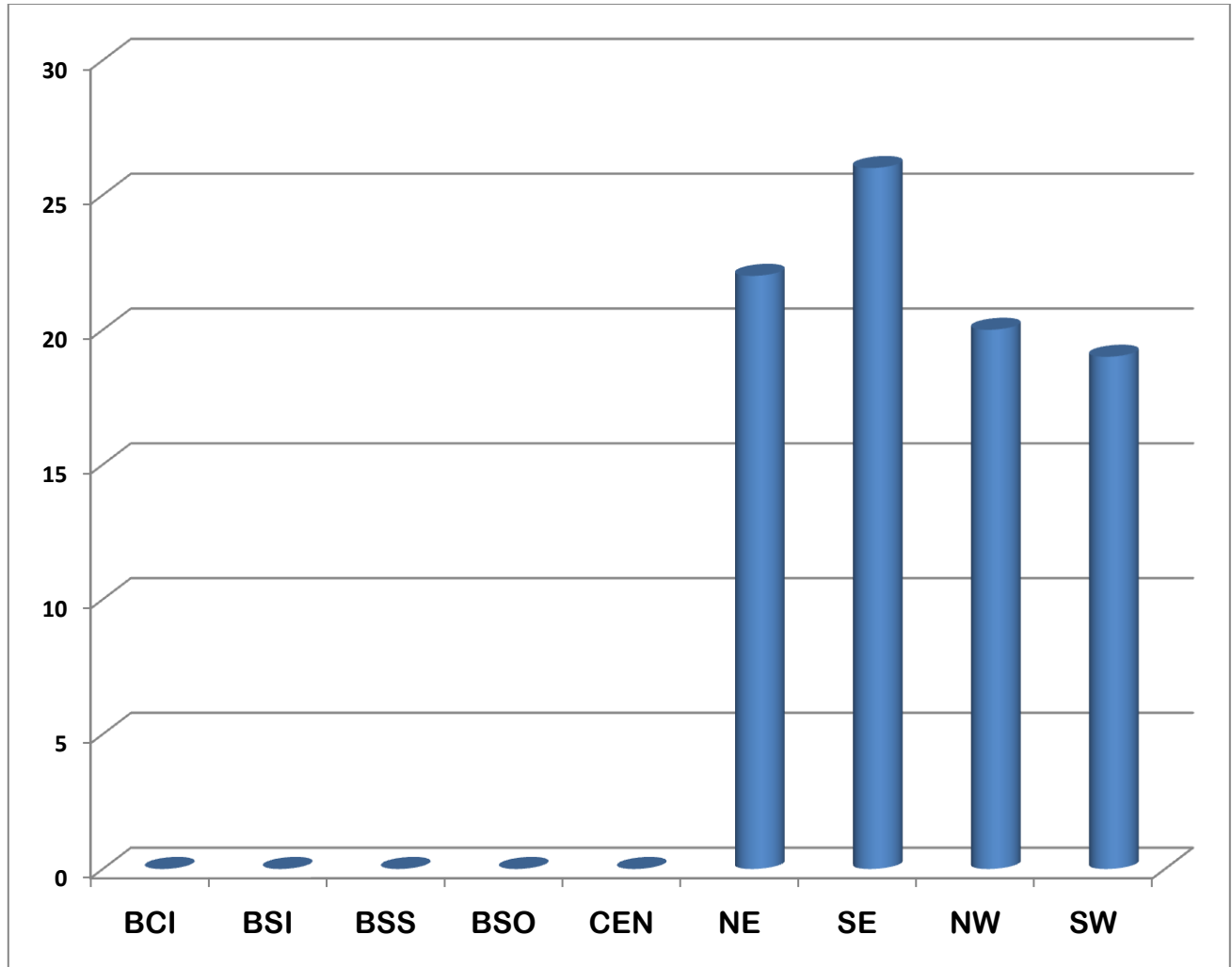


CHART 5

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 LEVEL 4 CANINE PROTECTIVE ACTION INCIDENTS

There were **30** reported Department of Law Enforcement Level 4 protective action incidents in 2008, involving the use of agency canines. This represents an **increase of 9 (+42.9%)** from 2007 (21) as summarized below (Table 6). All incidents were properly reported and documented. All Protective Action Reports were reviewed and approved by supervisory/command staff, requiring no further inquiry/investigation. No policy violations were noted.

Table 6 and Chart 6 summarize the total number of 2008 Department of Law Enforcement Level 4 canine protective action incidents occurring within specific divisions and bureaus/districts.

2008 LEVEL 4 CANINE PROTECTIVE ACTION INCIDENTS BY BUREAU / DISTRICT DEPARTMENT OF LAW ENFORCEMENT

DISTRICT/BUREAU	YEAR 2006	YEAR 2007	YEAR 2008	<i>NUMERICAL/ PERCENT INCREASE OR DECREASE 2006/2007</i>	<i>NUMERICAL/ PERCENT INCREASE OR DECREASE 2007/2008</i>
Bureau of Criminal Investigations - BCI	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Bureau of Special Investigations - BSI	1	0	0	<i>-1/-100.0%</i>	<i>0/0.0%</i>
Bureau of Support Services - BSS	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Bureau of Support Operations - BSO	0	0	0	<i>0/0.0%</i>	<i>0/0.0%</i>
Central District - CEN	0	0	3	<i>0/0.0%</i>	<i>+3/+100.0%</i>
Northeast District - NE	4	3	5	<i>-1/-25.0%</i>	<i>+2/+66.7%</i>
Southeast District - SE	4	2	6	<i>-2/-50.0%</i>	<i>+4/+200.0%</i>
Northwest District - NW	4	4	6	<i>0/0.0%</i>	<i>+2/+50.0%</i>
Southwest District - SW	2	12	10	<i>+10/+500.0%</i>	<i>-2/-16.7%</i>
TOTAL LEVEL 4 CANINE PROTECTIVE ACTION INCIDENTS	15	21	30	<i>+6/+40.0%</i>	<i>+9/+42.9%</i>

TABLE 6

Note: Percentages rounded to nearest tenth percent

SOURCE: PCSO AIM SYSTEM 2009

2008 LEVEL 4 CANINE PROTECTIVE ACTION INCIDENTS BY BUREAU/DISTRICT
DEPARTMENT OF LAW ENFORCEMENT

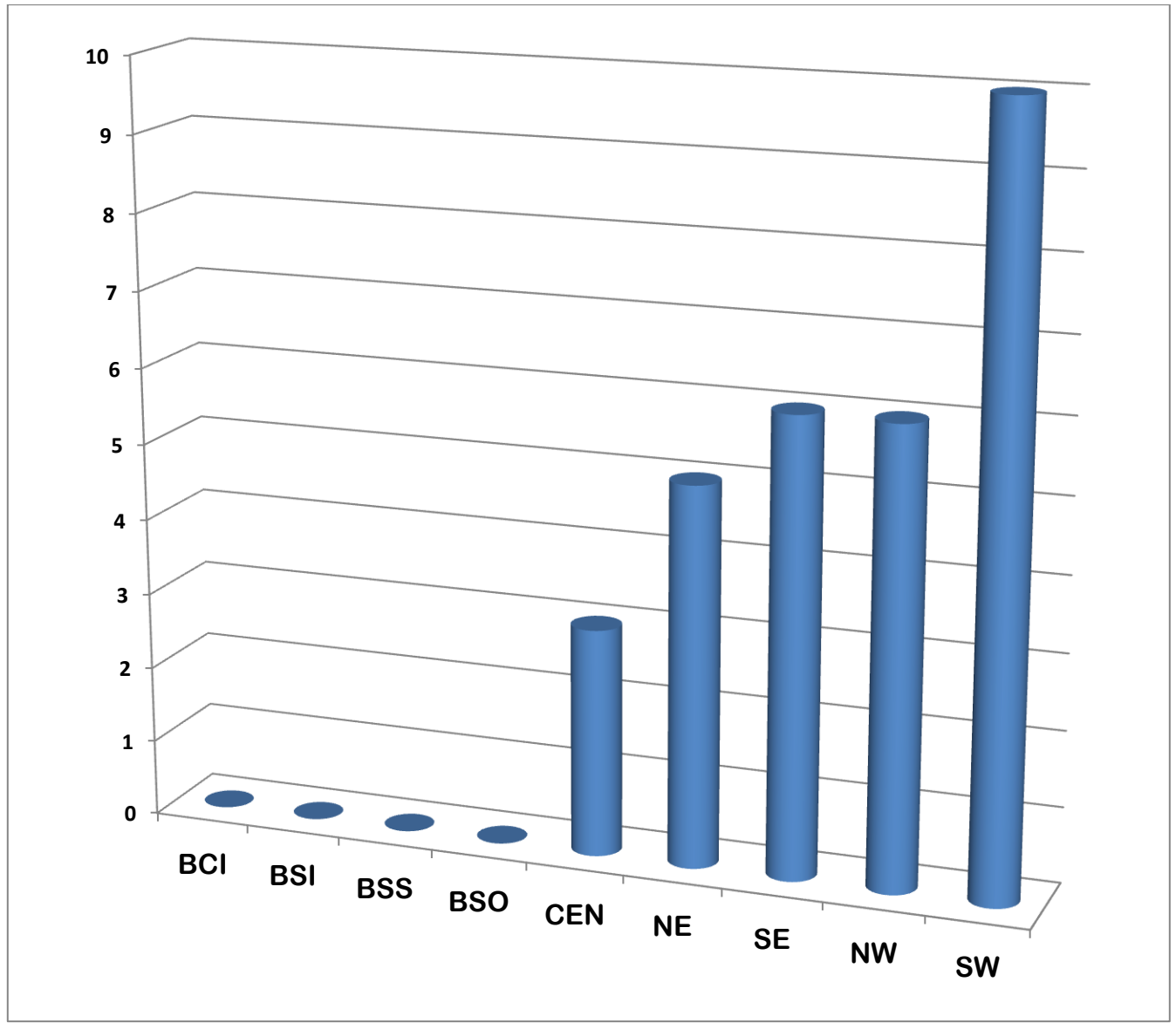


CHART 6

Note: Percentages rounded to nearest tenth percent

SOURCE: PCSO AIM SYSTEM 2009

EARLY INTERVENTION PROGRAM (EIP) ALERTS

A comprehensive Early Intervention Program (EIP) system is an essential component of good discipline in a well-managed law enforcement agency. The EIP is a supervisory/management tool to systematically assess various factors related to a member's performance and behavior.

The EIP is designed to identify potential below standard performance issues and resolve them by early intervention. The early intervention of these potential below standard performance issues and appropriate follow-up intervention/remedial actions shall increase the agency's accountability and offer members a better opportunity to achieve the agency's Core Values and Mission.

In accordance with General Order 35.2 - Early Intervention Program (EIP) 2008*, any *member involved in five (5) uses of Level Four (4) or above protective actions within a consecutive ninety (90)-day period*, causes the initiation of a Tracking Notification (PCSO Form No. 1561) by the AIS. The Tracking Notification is forwarded to the affected member's district/bureau captain/deputy director or higher authority for review and intervention when required.

During the year 2008, there were two (2) EIP alerts initiated involving the use of protective actions as outlined below:

- 1) TN08-003. An EIP alert was initiated after a Northwest Canine District deputy utilized five (5) Level 4 protective actions within a consecutive ninety (90)-day period (12/08/2007, 12/31/2007, 1/2/2008, 2/1/2008 and 2/17/2008). All of the protective actions were approved by the affected member's chain of command and were found to be in compliance with Florida State Statutes and PCSO General Orders. The EIP alert was reviewed by the affected member's supervision and no further action was taken.
- 2) TN08-008. An EIP alert was initiated after a Northeast District deputy utilized five (5) Level 4 protective actions within a consecutive ninety (90)-day period (2/28/2008, 3/8/2008, 3/10/2008, 5/4/2008 and 5/8/2008). All of the protective actions were approved by the affected member's chain of command and were found to be in compliance with Florida State Statutes and PCSO General Orders. The EIP alert was reviewed by the affected member's supervision and no further action was taken.

Effective January 1, 2009, G.O. 35.2-Early Intervention Program was amended to read, ... *"five (5) uses of Level Four (4) or above protective actions within a consecutive one hundred eighty (180)-day period."

2008 ARRESTS INVOLVING THE USE OF PROTECTIVE ACTION

A total of **18,568 arrests** by PCSO Law Enforcement Deputies were reported and documented between January 1, 2008 and December 31, 2008. This represents an **increase of 1,895 (+11.4%)** from 2007 (16,673). During the course of these arrests, PCSO Deputies utilized **156 Level 4 or higher protective actions**. This represents an **increase of 20 (+11.4%)** from 2007 (176) as summarized below (Table 7).

Table 7 and Chart 7 summarize the total number of 2008 arrests involving the use of protective action occurring within the Polk County Sheriff’s Office.

2008 ARRESTS INVOLVING THE USE OF PROTECTIVE ACTION
POLK COUNTY SHERIFF’S OFFICE

YEAR	ARRESTS	PROTECTIVE ACTIONS
Year 2008	18,568	115
Year 2007	16,673	176
Year 2006	15,186	175
<i>NUMERICAL/PERCENT INCREASE OR DECREASE – 2007/2008</i>	<i>+1895/+11.4%</i>	<i>-20/-11.4%</i>
<i>NUMERICAL/PERCENT INCREASE OR DECREASE – 2006/2007</i>	<i>+1487/+9.8%</i>	<i>+1/+0.6%</i>

TABLE 7

Note: Percentages rounded to nearest tenth percent

SOURCE: PCSO AIM SYSTEM 2009

2008 ARRESTS INVOLVING THE USE OF PROTECTIVE ACTION
POLK COUNTY SHERIFF'S OFFICE

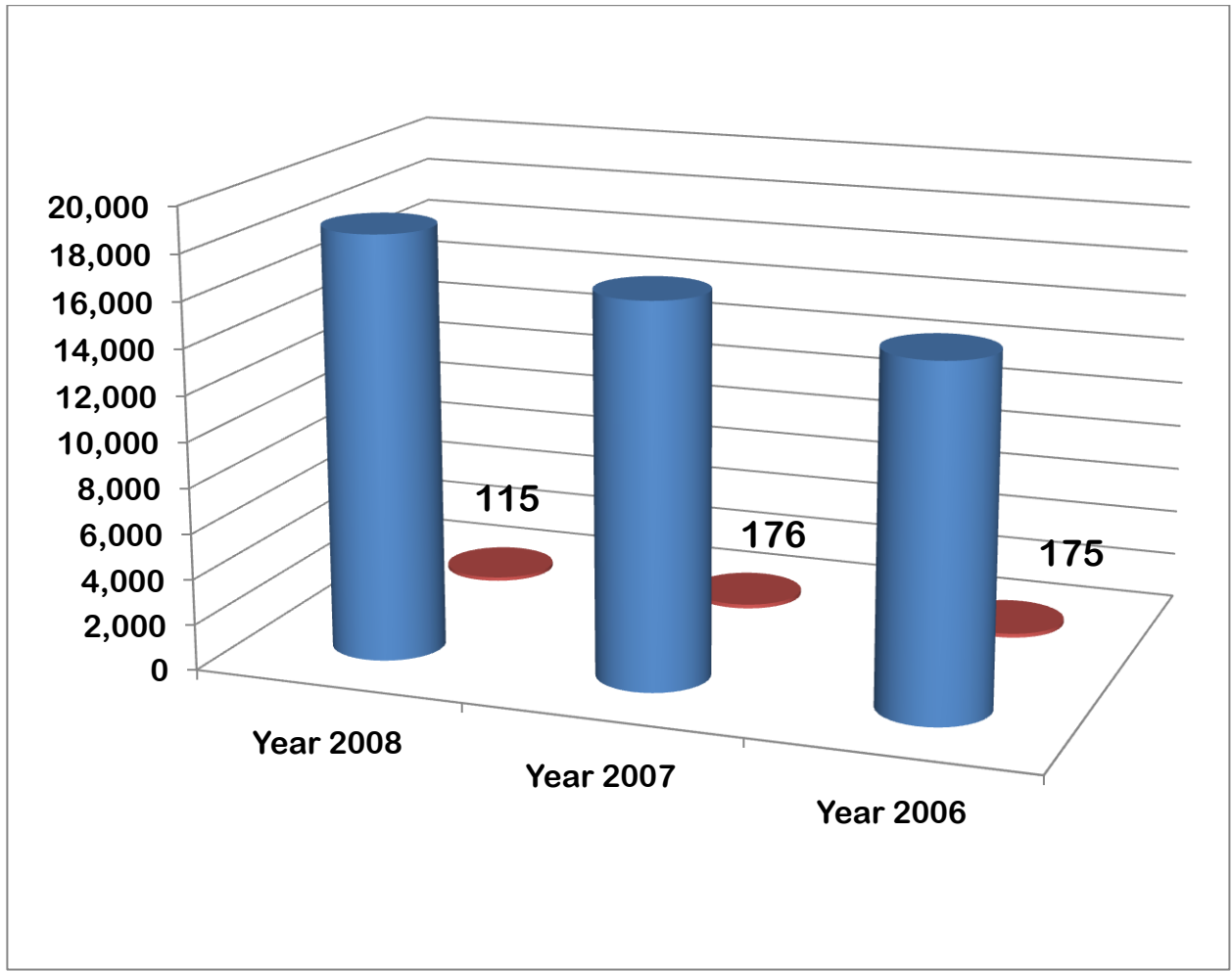


CHART 7

Note: Percentages rounded to nearest tenth percent

SOURCE: PCSO AIM SYSTEM 2009

2008 PROTECTIVE ACTION INCIDENTS DEMOGRAPHIC SUMMARY

Table 8 and Chart 8 summarize the total number of 2008 protective action incidents by day of week occurring within the Department of Law Enforcement.

2008 PROTECTIVE ACTION INCIDENTS BY DAY OF WEEK DEPARTMENT OF LAW ENFORCEMENT

PROTECTIVE ACTION INCIDENTS BY DAY OF WEEK DEPARTMENT OF LAW ENFORCEMENT		
DAY OF WEEK	NUMBER	PERCENTAGE
Sunday	30	19.2%
Saturday	18	11.5%
Friday	24	15.4%
Thursday	22	14.1%
Wednesday	17	10.9%
Tuesday	23	14.8%
Monday	22	14.1%
TOTAL	156	100.0%

TABLE 8 **SOURCE: PCSO AIM SYSTEM 2009**
Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 PROTECTIVE ACTION INCIDENTS BY DAY OF WEEK DEPARTMENT OF LAW ENFORCEMENT

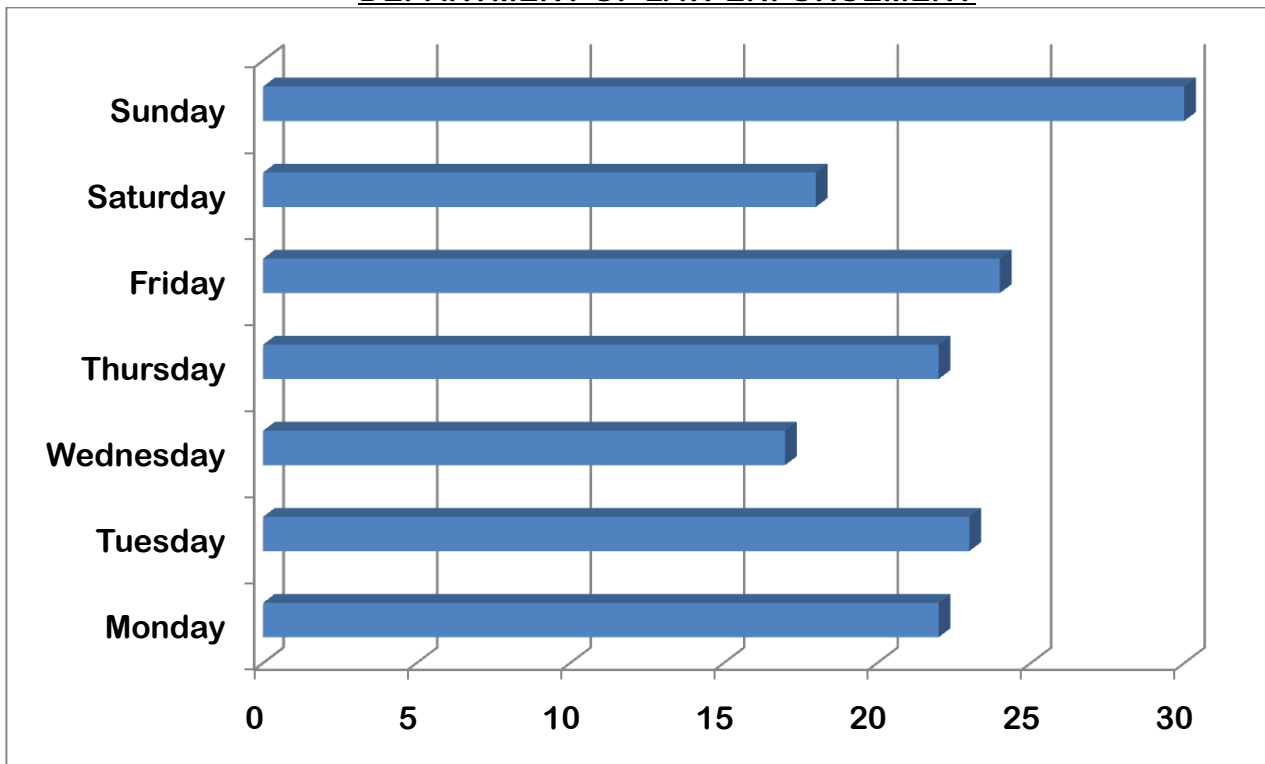


CHART 8 **SOURCE: PCSO AIM SYSTEM 2009**
Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

Table 9 and Chart 9 summarize the total number of 2008 protective action incidents by day of week occurring within the Department of Detention.

2008 PROTECTIVE ACTION INCIDENTS BY DAY OF WEEK
DEPARTMENT OF DETENTION

PROTECTIVE ACTION INCIDENTS BY DAY OF WEEK DEPARTMENT OF DETENTION		
DAY OF WEEK	NUMBER	PERCENTAGE
Sunday	31	11.8%
Saturday	40	15.1%
Friday	51	19.2%
Thursday	43	16.2%
Wednesday	35	13.2%
Tuesday	35	13.2%
Monday	30	11.3%
TOTAL	265	100.0%

TABLE 9

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

2008 PROTECTIVE ACTION INCIDENTS BY DAY OF WEEK
DEPARTMENT OF DETENTION

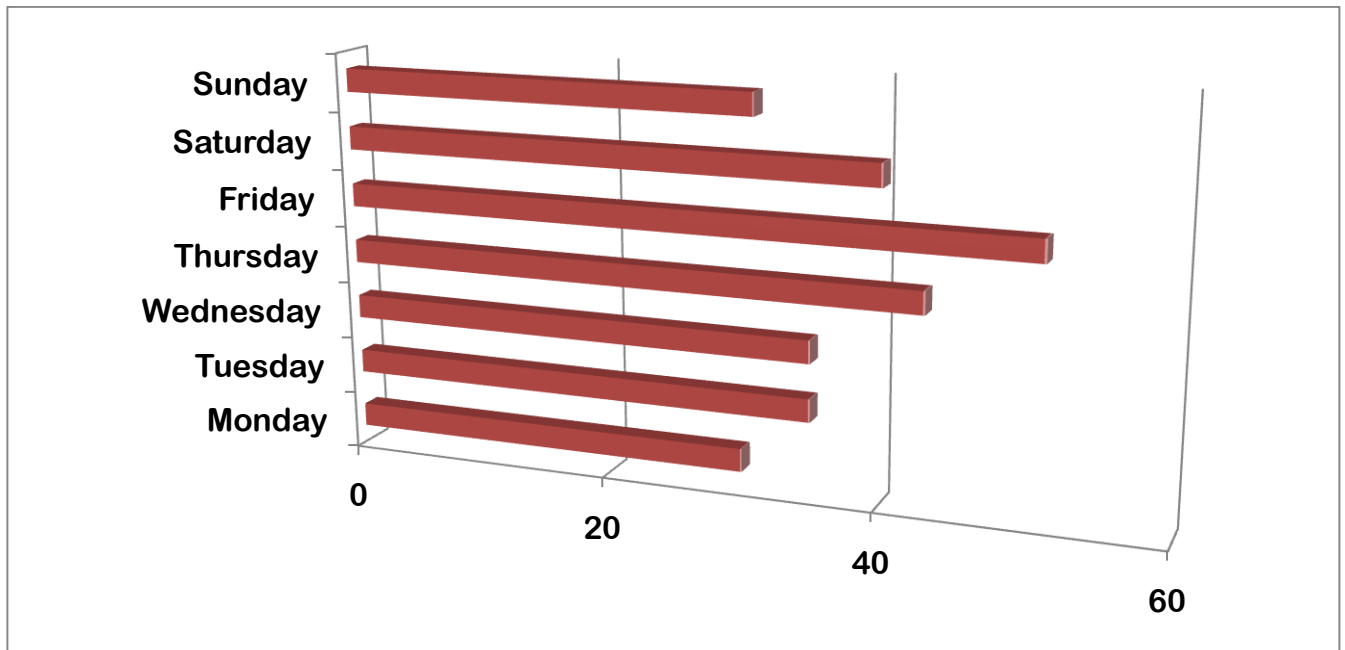


CHART 9

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

Table 10 and Chart 10 summarize the total number of 2008 protective action incidents by subject age group occurring within the Department of Law Enforcement

2008 PROTECTIVE ACTION INCIDENTS BY SUBJECT AGE GROUP
DEPARTMENT OF LAW ENFORCEMENT

PROTECTIVE ACTIONS BY SUBJECT AGE GROUP DEPARTMENT OF LAW ENFORCEMENT		
SUBJECT AGE GROUP	NUMBER	PERCENTAGE
7-13 Years of Age	1	0.8%
14-17 Years of Age	10	7.6%
18-25 Years of Age	28	21.4%
26-30 Years of Age	29	22.1%
31-35 Years of Age	21	16.0%
36-40 Years of Age	13	9.9%
41-45 Years of Age	9	6.9%
46-50 Years of Age	9	6.9%
51-55 Years of Age	8	6.1%
56-60 Years of Age	1	0.8%
60-68 Years of Age	2	1.5%
TOTAL	131	

TABLE 10

Note: Percentages rounded to nearest tenth percent

SOURCE: PCSO AIM SYSTEM 2009

2008 PROTECTIVE ACTION INCIDENTS BY SUBJECT AGE GROUP
DEPARTMENT OF LAW ENFORCEMENT

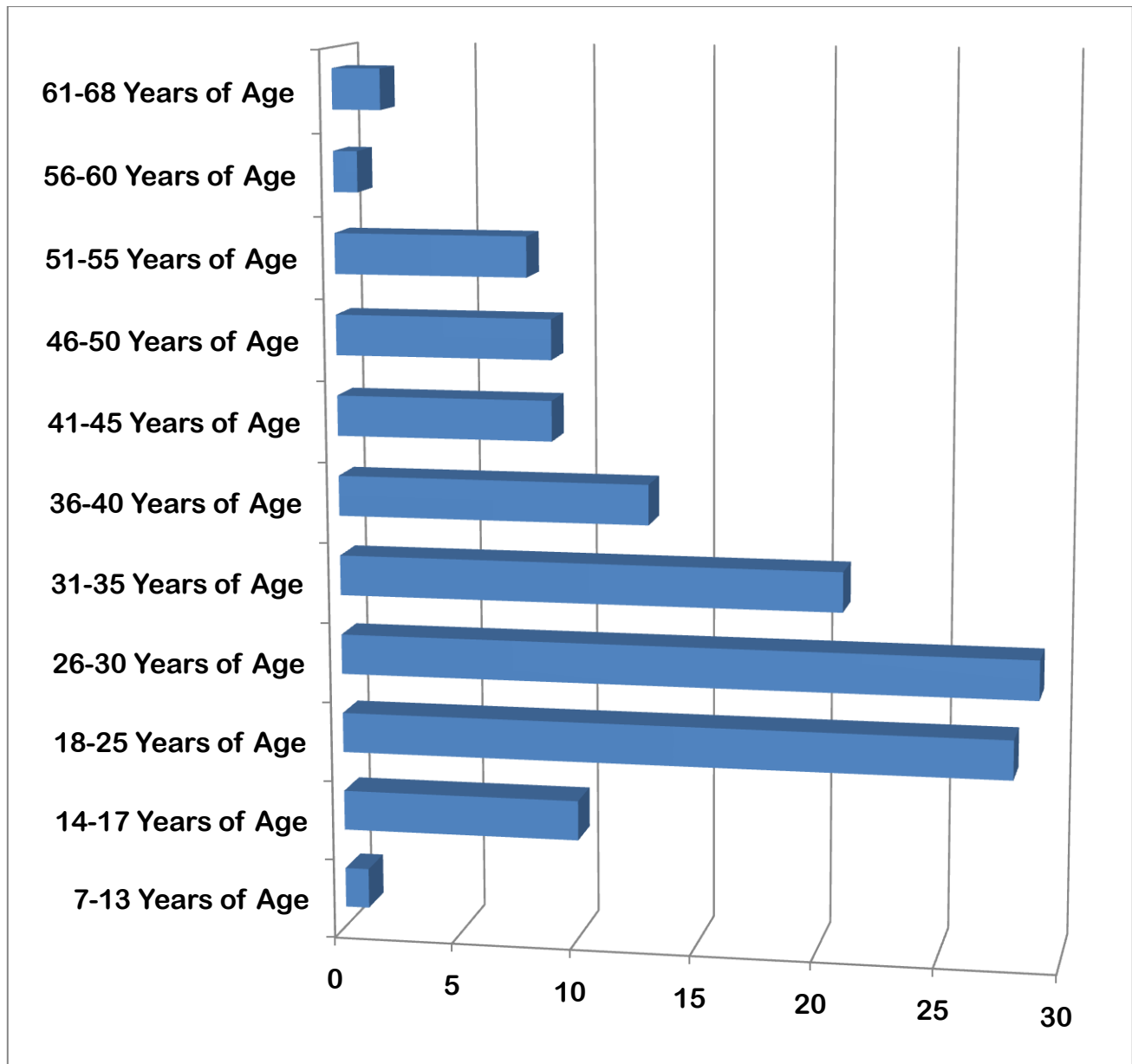


CHART 10

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

Table 11 and Chart 11 summarize the total number of 2008 protective action incidents by subject age group occurring within the Department of Detention.

2008 PROTECTIVE ACTION INCIDENTS BY SUBJECT AGE GROUP
DEPARTMENT OF DETENTION

PROTECTIVE ACTION INCIDENTS BY SUBJECT AGE GROUP DEPARTMENT OF DETENTION		
SUBJECT AGE GROUP	NUMBER	PERCENTAGE
10-14 Years of Age	1	.3%
15-18 Years of Age	59	18.6%
18-25 Years of Age	119	37.5%
26-30 Years of Age	48	15.2%
31-35 Years of Age	36	11.4%
36-40 Years of Age	23	7.3%
41-45 Years of Age	14	4.4%
46-50 Years of Age	12	3.8%
51-55 Years of Age	3	.9%
56-60 Years of Age	2	.6%
TOTAL	317*	100.0%

TABLE 11

SOURCE: PCSO AIM SYSTEM 2009

Note: Percentages rounded to nearest tenth percent

***Total includes instances of Protective Action wherein there were multiple subjects.**

2008 PROTECTIVE ACTION INCIDENTS BY SUBJECT AGE GROUP
DEPARTMENT OF DETENTION

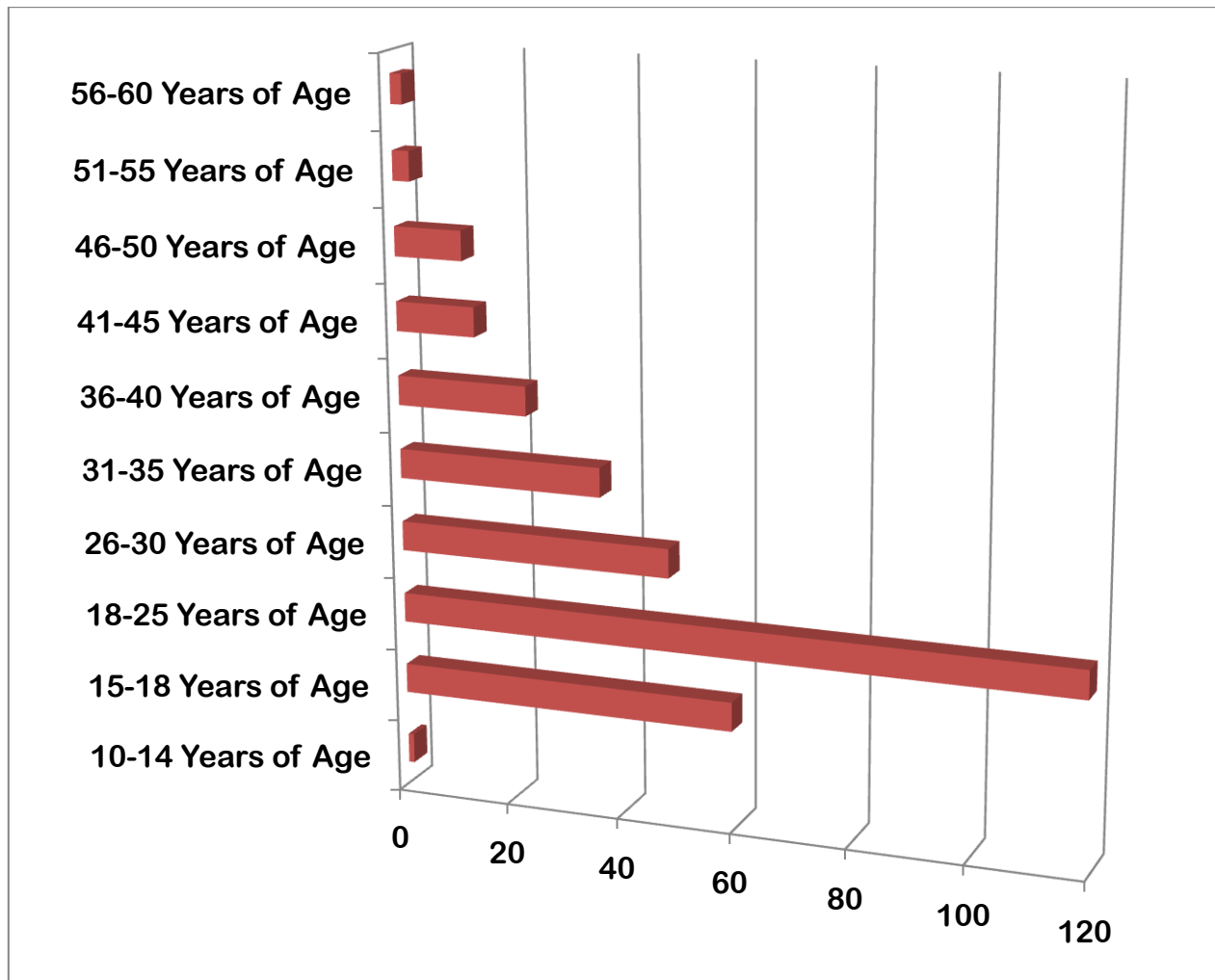


CHART 11

Note: Percentages rounded to nearest tenth percent

SOURCE: PCSO AIM SYSTEM 2009

Table 12 and Chart 12 summarize the total number of 2008 protective action incidents by member age group occurring within the Department of Law Enforcement.

2008 PROTECTIVE ACTION INCIDENTS BY MEMBER AGE GROUP
DEPARTMENT OF LAW ENFORCEMENT

PROTECTIVE ACTION INCIDENTS BY MEMBER AGE GROUP DEPARTMENT OF LAW ENFORCEMENT		
MEMBER AGE GROUP	NUMBER	PERCENTAGE
18-25 Years of Age	26	11.6%
26-30 Years of Age	50	22.3%
31-35 Years of Age	70	31.3%
36-40 Years of Age	51	22.8%
41-45 Years of Age	18	8.0%
46-50 Years of Age	7	3.1%
51-54 Years of Age	2	0.9%
TOTAL	224*	100.0%

TABLE 12

SOURCE: PCSO AIM SYSTEM 2009

Note: Percentages rounded to nearest tenth percent

***Total includes instances of Protective Action wherein there were multiple members.**

2008 PROTECTIVE ACTION INCIDENTS BY MEMBER AGE GROUP
DEPARTMENT OF LAW ENFORCEMENT

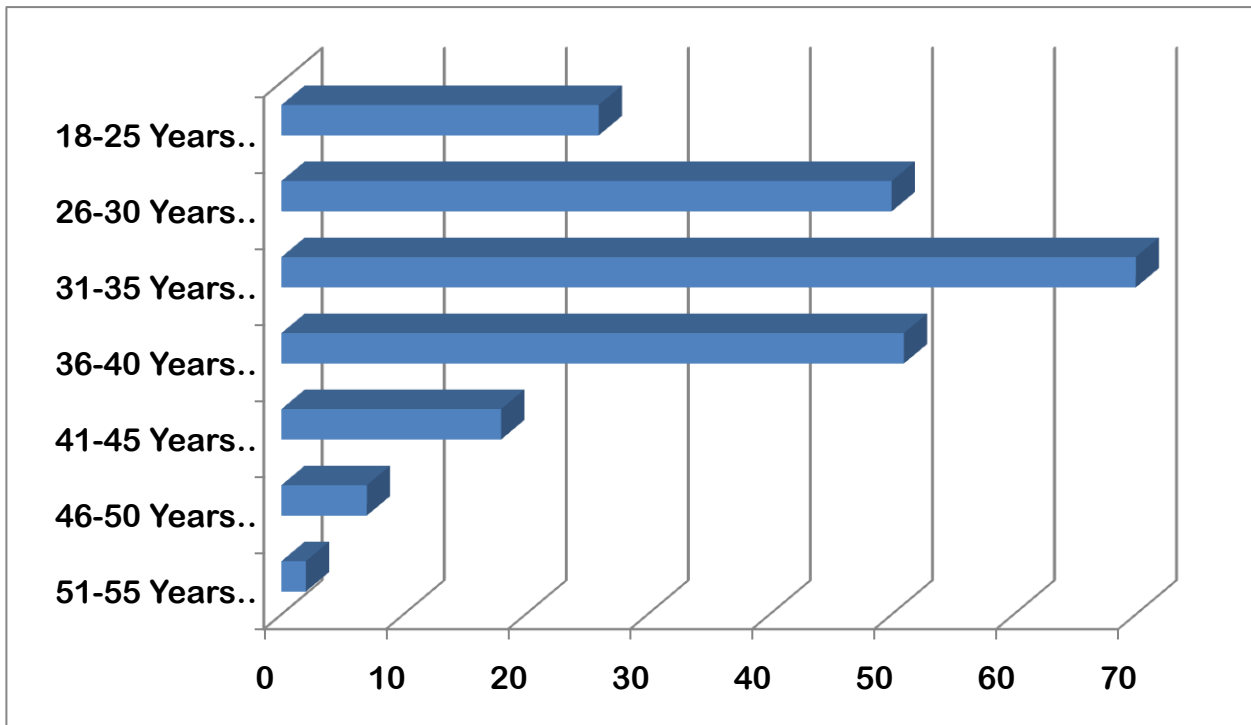


CHART 12

SOURCE: PCSO AIM SYSTEM 2009

Note: Excludes Accidental Discharge Incidents. Percentages rounded to nearest tenth percent

Table 13 and Chart 13 summarize the total number of 2008 protective action incidents by member age group occurring within the Department of Detention.

2008 PROTECTIVE ACTION INCIDENTS BY MEMBER AGE GROUP
DEPARTMENT OF DETENTION

PROTECTIVE ACTION INCIDENTS BY MEMBER AGE GROUP DEPARTMENT OF DETENTION		
MEMBER AGE GROUP	NUMBER	PERCENTAGE
18-25 Years of Age	44	8.9%
26-30 Years of Age	73	14.8%
31-35 Years of Age	70	14.2%
36-40 Years of Age	108	21.9%
41-45 Years of Age	60	12.1%
46-50 Years of Age	85	17.2%
51-54 Years of Age	36	7.3%
55-60 Years of Age	17	3.4%
61-65 Years of Age	1	0.2%
TOTAL	494*	100.0%

TABLE 13

SOURCE: PCSO AIM SYSTEM 2009

Note: Percentages rounded to nearest tenth percent.

***Total includes instances of Protective Action wherein there were multiple members.**

2008 PROTECTIVE ACTION INCIDENTS BY MEMBER AGE GROUP
DEPARTMENT OF DETENTION

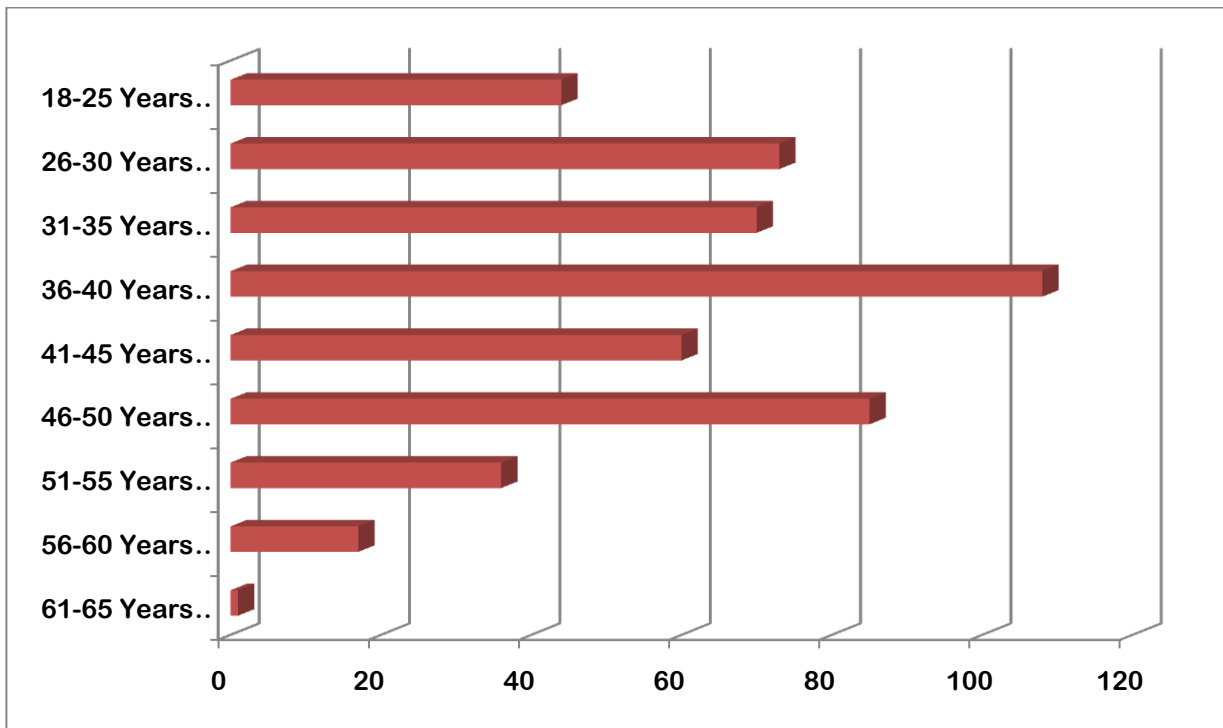


CHART 13

SOURCE: PCSO AIM SYSTEM 2009

Note: Percentages rounded to nearest tenth percent.

2008 PROTECTIVE ACTION INCIDENTS BY SUBJECT RACE
DEPARTMENT OF LAW ENFORCEMENT

Chart 14 represents the distribution of 2008 Department of Law Enforcement Protective Actions utilized on White, Hispanic and Black subjects.

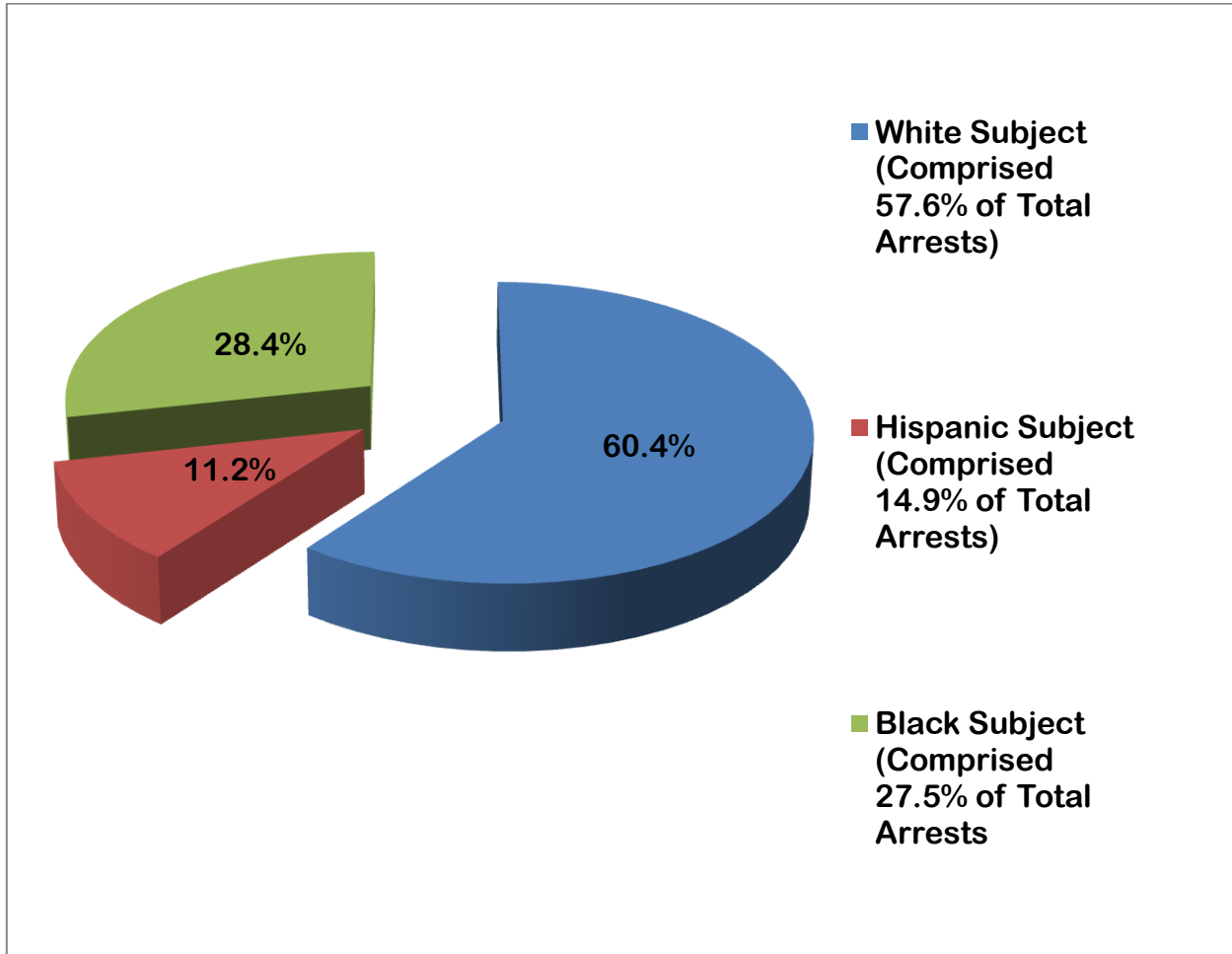


CHART 14

Note: Percentages rounded to nearest tenth percent.

SOURCE: PCSO AIM SYSTEM 2009

2008 PROTECTIVE ACTION INCIDENTS BY SUBJECT RACE
DEPARTMENT OF DETENTION

Chart 15 represents the distribution of 2008 Department of Detention Protective Actions utilized on White, Hispanic and Black subjects.

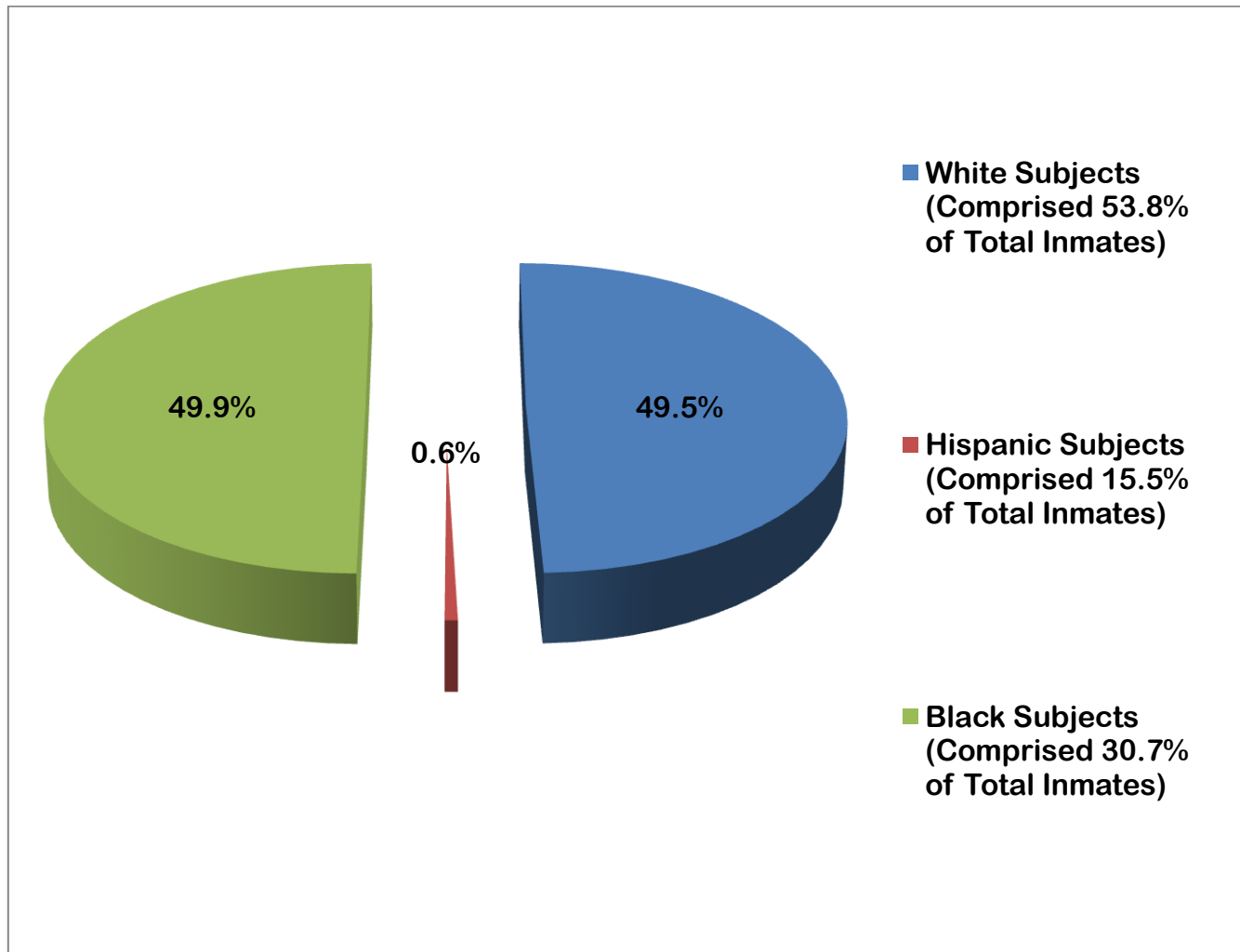


CHART 15

Note: Percentages rounded to nearest tenth percent.

SOURCE: PCSO AIM SYSTEM 2009

G.O. 1.5.D.5.a. The Response Continuum presented in this Order is based on a model developed by the Florida Department of Law Enforcement (FDLE) Criminal Justice Standards and Training Commission (CJSTC) Defensive Tactics Task Force. The continuum is intended to be used as a guideline for members in selecting effective, reasonable, and legal protective actions in verbal and physical encounters. (Refer to Protective Action Response to Resistance Continuum [PCSO Form 563].)

**Polk County Sheriff's Office
Protective Action Response to Resistance Continuum**

		Protective Action Continuum																			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18		
Subject Levels of Resistance	6 Aggravated Physical	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	5 Aggressive Physical	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	4 Active Physical	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	3 Passive Physical	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	2 Verbal	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	1 Presence	X	X	X																	
<p>Checked areas represent suggested, acceptable, beginning response levels. Any response in an unchecked area requires justification. Refer to the definitions for each level of resistance, response, and the determining factors when articulating the justification. (GO 1.5)</p>		Presence	Field Interrogation Stance	Preemptive Physical Dialogue	Verbal Direction	Touch	Preemptive Physical	Further Escalation	Transporters	Pain Compliance	Takedowns	Restraint Devices	Counter Moves	Strikes	Empty-Handed/Palm	E.M.D./Taser	Chemical Defense	Impact Weapon	K-9, Equine	Incapacitation	Deadly Protective Action
		<i>Command Presence</i> 1		<i>Communication</i> 2					<i>Physical Control</i> 3					<i>Intermediate Weapons</i> 4					5	6	

Protective Action Reporting Requirements

Protective Action Continuum	Response Levels	Protective Action Report (PCSO Form 206A)	Incident Report
		1 Presence	No
	1 Field Interview Stance	No	
	1 Preemptive Physical Control	No	
	2 Dialogue	No	
	2 Verbal Direction	No	
	2 Touch	No	
	2 Preemptive Physical Control	No	
	2 Escalation	No	
	3 Transporters	No (Yes: If injuries – known or suspected)	Yes
	3 Pain Compliance	No (Yes: If injuries – known or suspected)	Yes
	3 Takedowns	No (Yes: If injuries – known or suspected)	Yes
	3 Restraint Devices	No (Yes: If injuries – known or suspected)	Yes
	3 Counter Moves	No (Yes: If injuries – known or suspected)	Yes
	4 E.M.D./Taser	Yes	Yes
	4 Chemical Defense Equipment	Yes	Yes
	4 Impact Weapon	Yes	Yes
	4 K-9, Equine	Yes	Yes
	4 Empty-handed/Palm Strikes	Yes	Yes
	5 Incapacitation	Yes	Yes
	6 Deadly Protective Action	Yes	Yes

In accordance with General **Level Three: Passive** includes proper voice Order 1.5- **Protective Physical Resistance:** A and/or other identification, Action, the Response to subject physically refuses to body language, alertness, Resistance Continuum shall comply or respond. They do and readiness, all denoting be comprised of Subject not make any attempt to the presence of authority to Levels of Resistance and physically defeat the actions a subject.

Member Administered of a member, but instead **Control which incorporate** forces a member to use **Field Interrogation Stance:** the following: physical maneuvers to A member adopts a stance establish control. Passive with a subject outside their

Subject Levels of Resistance of resistance is usually in the danger zone that provides form of a relaxed or "dead appropriate protection and weight" posture intended to forms the basis of an

Level One: Presence: A make a member lift, pull, or effective physical response subject is there, on the move a subject to establish if attacked. In such a scene, in attendance of control. stance, the firearm or suspicious activity. strong side leg is away from

Level Four: Active Physical: a subject; the non-firearm or **Psychological Intimidation:** A subject makes physically "reactionary side" leg is Nonverbal intimidation evasive movements to forward toward subject; the tactics may include defeat a member's attempt feet are about shoulder clenching fists, widening of at control. This may be in width apart; knees slightly foot stance, a blank stare, the form of bracing or bent giving balance, control, and other forms of body tensing, attempts to and a lower body center of language. push/pull away, or not gravity; equally distributed

Level Two: Verbal Resistance: A subject may subject does not attempt to readiness for guarding the verbally refuse to comply strike a member or inflict upper body. Proper

with a member's request of bodily harm upon a member. distance from a subject attempts to control the should be where a member

situation. A subject may **Level Five: Aggressive Physical Resistance:** A feet of a suspect in case an

verbally threaten a member subject makes overt, offensive action against a with further resistance. A subject makes overt, offensive action against a subject may boast of their aggressive, hostile, member is made.

fighting skill and of attacking movements which intentions to injure a may cause injury to a **Preemptive Physical**

member, or, a subject may member but are not likely to **Control:** A member may simply refuse to respond to cause death or great bodily escalate to physical control

or ignore a member. harm to a member or others. before any overt moves are made by a subject if the

Nonverbal Cues: A **Level Six: Aggravated Physical Resistance:** A subject indicate an imme-

subject's verbal resistance subject makes overt, diate potential for violence may be accompanied by subject makes overt, diate potential for violence body language which may hostile, attacking and/or a member believes

indicate their intentions with movements with or without a that physical control is regard to physical weapon with the intent and necessary to prevent a

resistance. A subject may apparent ability to cause subject from injuring assume a fighting stance death or great bodily harm themselves, others, or a

such as raised hands and to a member or others. member. clenched fists. A subject

may grab a fixed object to **Member-Administered Control** **Level Two: Dialogue:** A two-way, controlled, non-emotional, business-like

subject may lie or sit down **Level One: Presence:** A communication between a placing their hands under a member is there, on the member and a subject,

their body. scene, in attendance. This directed toward problem

identification and/or that the threat of death or through the use of empty-
 resolution. great bodily harm exists. handed strikes, palm
 strikes, or intermediate
Verbal Direction: A member *Level Three: Transporters:* weapons may be utilized to
 tells or commands a subject Techniques used to control bring a subject into
 to engage in, or refrain and/or move a subject from compliance. Intermediate
 from, a specific action or point A to point B with weapons that are primarily
 non-action. minimum effort by a member used to render a subject
 in order to gain and retain controllable are an
Touch: A member exerts a control over a subject. expandable baton, side-
 soft touch when directing, handle baton, canine,
 or a firm, strong touch prior *Pain Compliance:* equine, less lethal
 to escalating to a higher Techniques that force a munitions, E.M.D./Taser,
 level of response. subject to comply with a chemical defense
 member as a result of a equipment, and during
Preemptive Physical member inflicting controlled exigent circumstances, the
Control: A member may pain upon specific points in agency-issued flashlight.
 escalate to physical control a subject's body, such as They are also utilized for
 before any overt moves are pressure point techniques. control, but shall only be
 made by a subject if the utilized in compliance with
 verbal communications by a *Takedowns:* Techniques the Response to Resistance
 subject indicate an that redirect, in a controlled Continuum.
 immediate potential for manner, a subject to the
 violence and/or a member ground in order to limit their *Level Five: Incapacitation:*
 believes that physical physical resistance and to Techniques that are
 control is necessary to facilitate the application of a intended to stun or render a
 prevent a subject from restraining device. subject temporarily
 injuring themselves, others, unconscious, delivered with
 or a member. *Restraint Devices:* or without intermediate
 Mechanical tools used to weapons, such as a strike to
 a major nerve area.
Further Escalation: A restrict a subject's a major nerve area.
 member's reaction to verbal movements, such as
 threats should be based on handcuffs, flexcuffs, leg *Level Six: Deadly Protective*
 a reasonable perception of irons, belly chains, and *Action:* Techniques that
 the validity of the threat, a nylon restraining devices. may result in imminent
 subject's ability to carry out death or great bodily harm,
 that threat, and a member's *Counter Moves:* Techniques such as neck restraints,
 own physical ability to that impede a subject's intermediate weapon strikes
 manage the threat. If a movement toward a member to the head or joints, and
 subject's body language or others such as blocking, use of firearms.
 during a threat indicates parrying, dodging, weaving,
 their intention to escalate re-directing, or avoiding, *Deadly use of protective*
 their resistance, a member followed by appropriate *action should be used only*
 should prepare to escalate controlling techniques. *as a last resort.*
 to intermediate weapons, or
 even to lethal weapons if a *Level Four: Intermediate*
 subject has a weapon or has *Weapons:* Member-
 such physical advantage administered control