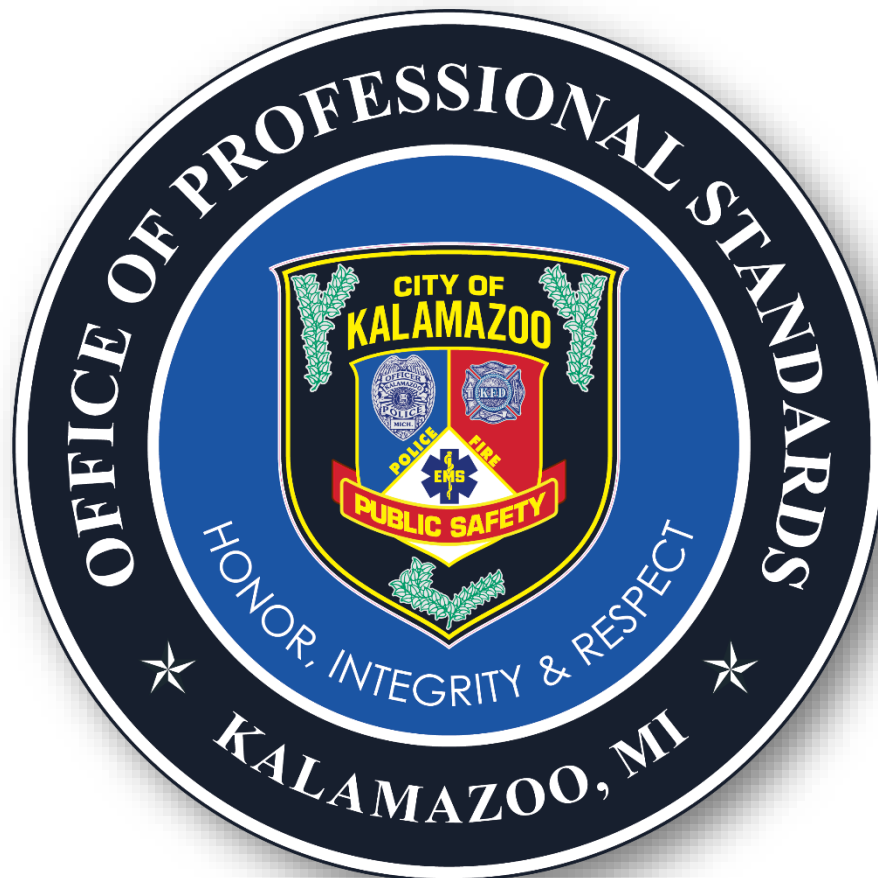


Kalamazoo Dept of Public Safety OFFICE OF PROFESSIONAL STANDARDS Annual Report and Analysis



2023

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Introduction

The Kalamazoo Department of Public Safety's (KDPS) Office of Professional Standards is responsible for the investigation of employee misconduct complaints, policy review, policy compliance, and police accreditation. It additionally serves as a liaison between KDPS and the Citizen's Public Safety Review and Appeal Board (CPSRAB). The Office of Professional Standards is comprised of one Inspector who reports to the Office of the Chief.

The following report summarizes and analyzes the 2023 internal affairs administrative investigations, as well as the department's use of force incidents, vehicle pursuits, vehicle crashes, foot pursuits, and on-the-job injuries. This report serves to further the mission of the Office of Professional Standards by accurately and transparently presenting data collected as part of the meaningful review process. While this report provides data on the number of incidents in each area, it also aims to identify trends and evaluate the need for additional training, equipment updates, or policy revisions.

Internal Affairs (MLEAC 1.3.1)

The mission of the Office of Professional Standards is to protect the public, the employee, and the department through fair, thorough, and proactive investigations of misconduct. This mission is intended to accomplish three objectives:

- Protect the public by identifying and effectuating corrective action of department personnel and changing procedures that negatively affect the quality of life in the City of Kalamazoo.
- Protect the department by taking appropriate action so that misconduct of a few will not detract from the overall reputation of Kalamazoo Public Safety.
- Protect the employee against false or malicious allegations of misconduct by ensuring fairness and accuracy in all investigations.

KDPS classifies its internal affairs investigations into three categories: Inquiries, Police-Citizen Relation (PCR) Complaints, and Internal Investigations. Inquiries are typically handled by mid-level supervisors and are usually not investigated by the Office of Professional Standards. It should be noted that all inquiries and their respective outcomes are reviewed by the Office of Professional Standards to ensure consistency and fairness within the process. Furthermore, by monitoring inquiries, we can analyze trends that may lead to larger issues if not addressed appropriately. PCRs and Internal Investigations are typically investigated by the Office of Professional Standards. An investigation can include interviewing the complainant and involved officers, conducting a site visit, obtaining



professional opinions, and reviewing camera footage to determine if policy violations exist that would warrant discipline or additional training.

The Office of Professional Standards handled oversight and/or investigation of 51 inquiries, 33 PCR complaints and 4 internal investigations. Taken together, this represents 88 complaints for the entire year. Given that KDPS handled over 127,000 calls for service in 2023, the number of complaints per calls for service is less than .001% -- an objectively low number compared to the number of officer-citizen interactions over the course of the year.

Summary of Inquiries

If a citizen desires to make a complaint against an officer, a supervisor will contact the complainant to gain further information about the complaint. If the supervisor can make personal contact with the complainant and resolve the initial complaint by listening to the allegations, and providing a thorough explanation of the officer’s actions, KDPS policy/procedure, or circumstances of an incident, then the complaint can be documented as an “Inquiry” within the KDPS reporting system. If a complaint cannot be mutually resolved between the complainant and the supervisor, a PCR complaint will be opened for further investigation. KDPS completed a total of 51 inquiries in 2022.

Inquiries can range from allegations of rudeness and inadequate report writing to allegations of harassment and improper investigations. Many allegations can be quickly dispelled by the investigating supervisor through reviewing body-worn camera footage.

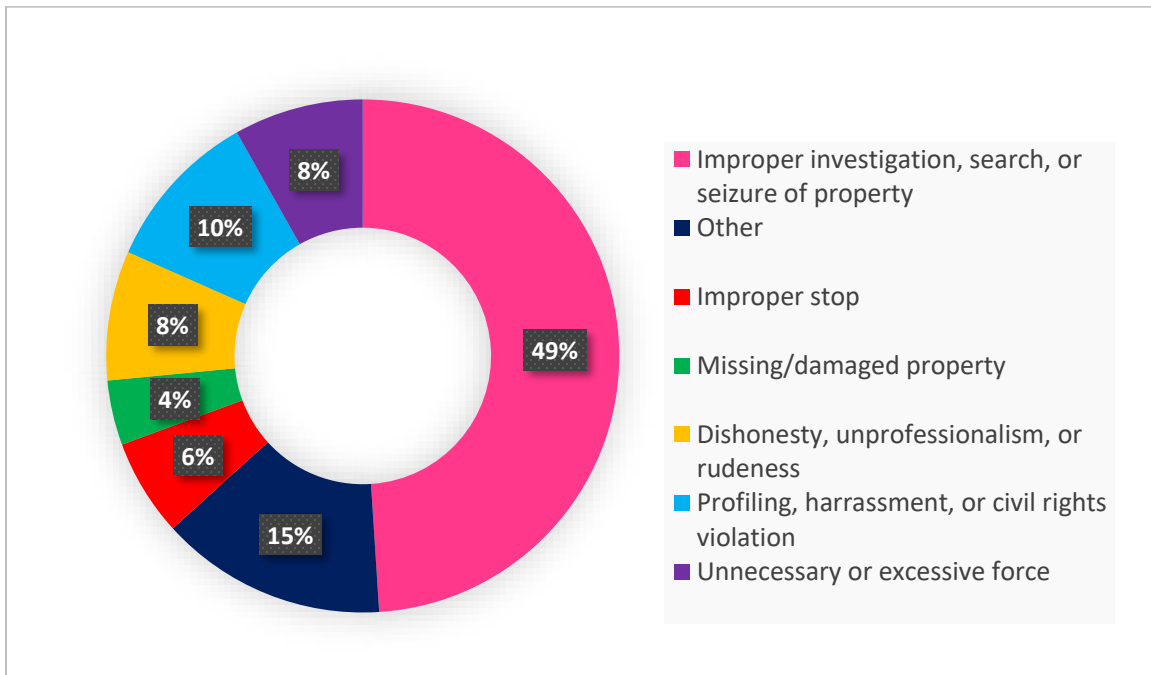


Figure 1. Inquiry allegation areas



The above chart shows the allegation areas made in 2023 inquiries. The largest number of inquiries made in 2023 alleged that an officer conducted an incomplete or improper investigation (49%). This was followed by an “other” category, which includes allegations about improper towing of vehicles, an officer’s failure to have a supervisor respond to a scene, release of property concerns, and issues with employees unrelated to their employment, among several others.

Analysis of Inquiries

A deeper dive into these inquiries reveals that after an investigation by the assigned supervisor, four incidents required corrective action in the form of discipline and/or training. One of the incidents had a policy violation related to the complaint. Training and/or mentoring was additionally provided as a corrective measure in all four incidents.

During the analysis, the Office of Professional Standards did not identify any larger concerns with training, equipment, and policy, or note any concerning trends with specific officers or overall officer behavior. When a minor violation was found, the direct supervisor implemented corrective measures with the involved officer(s). There was a 20% decrease in inquiries during 2023 from the 63 inquiries completed in 2022. There was no discernable trend to explain the decrease. It is worth noting that 2021 saw 41 inquiries; 2020, 63; and 2019, 53.

Summary of Police-Citizen Relation (PCR) Complaints

If an inquiry cannot be resolved satisfactorily with the complainant by a supervisor, the complaint is forwarded to the Office of Professional Standards for a formal investigation. Additionally, serious allegations such as providing false information, bias-based policing, or incidents dealing with mishandling of evidence are typically investigated as a PCR. In 2023, the Office of Professional Standards received 33 PCR complaints comprised of a total of 69 allegations made against officers (most PCR complaints have several allegations contained within them – one PCR alone accounted for six allegations).

KDPS officers handled 127,417 calls for service in 2023. Using the above numbers, the number of PCR complaints per call for service was less than .00025%, or approximately one PCR complaint for every 3,861 calls for service handled.

All 69 allegations contained in the PCRs were investigated by the Office of Professional Standards and forwarded to the Chief of Public Safety for final review and disposition. Figure 2 shows the general allegation areas made against officers.



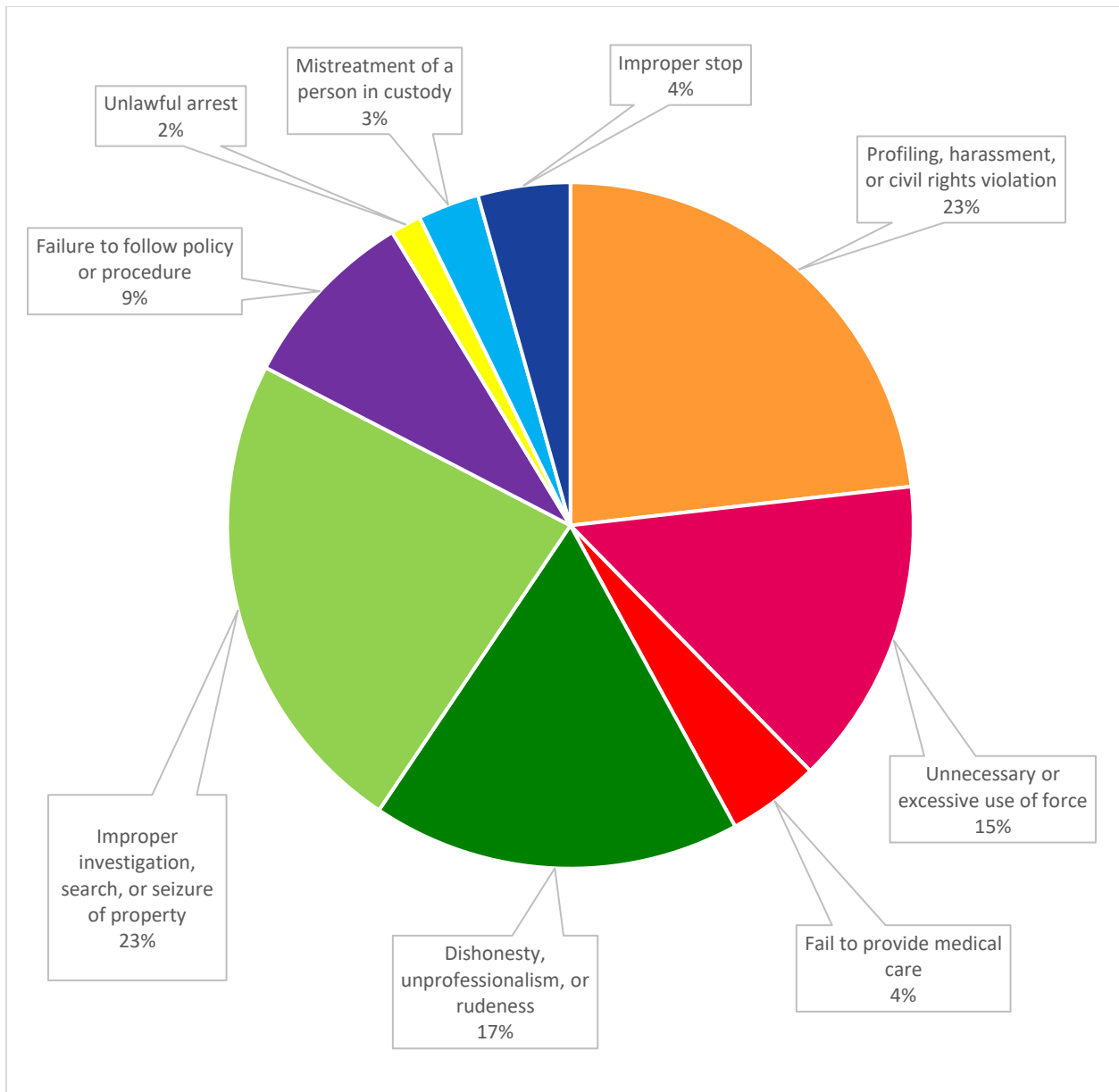


Figure 2. 2023 PCR allegation areas

As illustrated in Figure 2, the most common allegations made against officers in 2023 were (1) improper investigation, search, or property seizure, and (2) profiling, harassment, or a civil rights violation. Allegations of dishonesty/rudeness/unprofessionalism, and unnecessary/excessive use of force were also reported, but with less frequency.

During the complaint process, the Office of Professional Standards investigates the allegation areas made by the complainant, makes disposition recommendations for the allegations based on compliance with KDPS policies and procedures, and forwards the completed investigation to the Chief of Public Safety for final review. The Chief of Public



Safety can agree or disagree with the recommendations or can send the report back to Professional Standards for further investigation.

The Office of Professional Standards uses five distinct disposition recommendations for PCR complaints:

Exonerated: When the investigation determines that the alleged act occurred, but that the act was justified, lawful and/or proper.

Unfounded: When the investigation determines that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Sustained: When the investigation determines sufficient evidence to establish that the act occurred and that it constituted misconduct.

Not Sustained: When the investigation determines that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Withdrawn: When a complainant chooses to withdraw their complaint prior to the end of the investigation. The “withdrawn” disposition is rarely utilized by the Office of Professional Standards as investigators will typically continue an investigation and submit its findings to the Chief. This disposition is used when the lack of cooperation by the complainant leaves the Office of Professional Standards with no means to conclude the investigation without the cooperation of the complainant.

The Office of Professional Standards may also make a disposition recommendation of “**Misconduct Not Based Upon the Complaint.**” Also referred to as “Misconduct other.” This recommendation occurs when an investigation locates misconduct or improper job performance that was not alleged during the original complaint. An example of this would be a body camera violation. To remain transparent and accountable, the Office of Professional Standards investigates all potential policy violations found during an investigation and presents its finding to the Chief of Public Safety for final disposition. The graph on the next page illustrates the dispositions of all allegations in 2023.

Citizens Appeal (CPSRAB)

For any complaint where the final disposition by KDPS is exonerated, not sustained, or unfounded, a complainant may appeal the disposition decision made by the Chief of Public Safety by having their case heard by the Citizens Public Safety Review and Appeal Board (CPSRAB).

In 2023, three complaints were appealed to the CPSRAB; however, the appellants failed to appear in two of those cases, so only one appeal was heard by the board. In



that appeal, CPSRAB recommended sustaining the decisions made by the Chief of Public Safety. The Board's recommendations were sent to the Kalamazoo City Manager for final determination.

Analysis of Police-Citizen Relation (PCR) Complaints

There was a 35% decrease in PCR complaints (41% decrease in allegations) during 2023 from the 51 complaints (117 allegations) filed in 2022. There was no discernable trend to explain the decrease. For comparison of prior years, 2021 saw 31 PCRs filed; 2020, 38; and 2019, 22.

A meaningful review was conducted of each PCR complaint to examine officer performance, policy, equipment, and training to ascertain the need for changes in any of those areas.

During the year's PCR investigations, one citizen allegation and three *misconduct other* allegations were sustained against officers. In the complaint involving the citizen

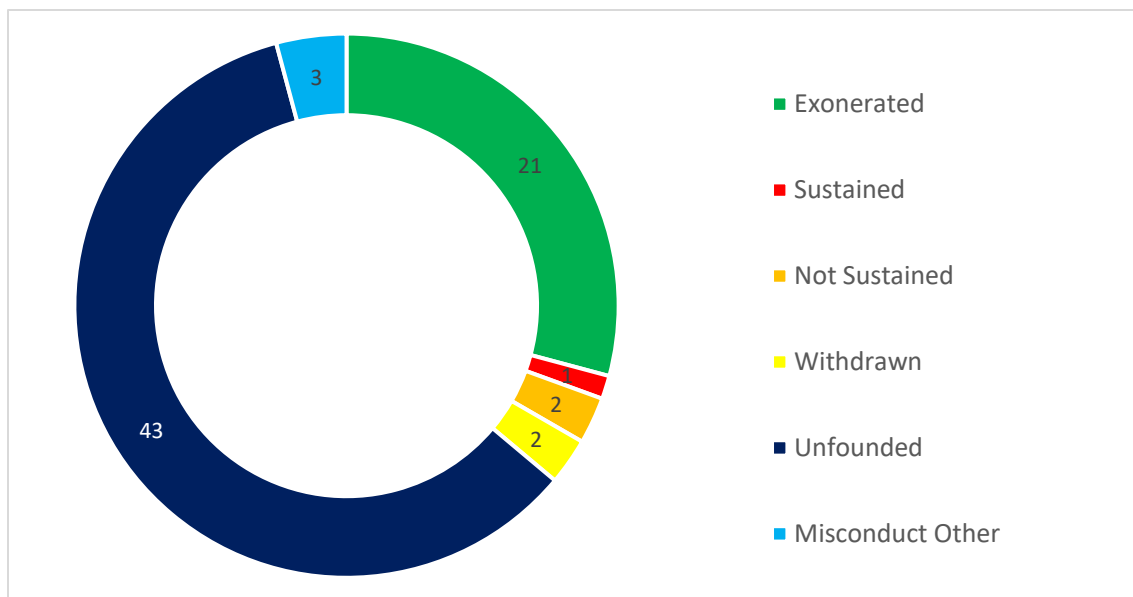


Figure 3. 2023 PCR outcomes

allegation, an officer was found to have failed to submit evidence seized during an investigation. Of the three misconduct other allegations, two involved officers failing to activate their body-worn cameras. The third was sustained against the agency as a whole for failing to have a procedure in place to properly handle the retention of motor vehicles as evidence.

The following actions were taken as a result of this year's sustained findings:

- KDPS' Axon contract, which was finalized in early 2024, includes new body-worn cameras for all officers. These cameras are highly advanced relative to the



department's current BWCs. Part of Axon technology is automatic activation when in proximity of an activated BWC, or when a firearm or taser is drawn from a holster.

- The department has begun the process of researching an electronic evidence disposition system, which will help streamline our current process, which uses a combination of paper and digital records.

For the violations sustained against officers, corrective measures were taken to address the relevant policy issues. The goal of corrective action is to hold the involved officer(s) accountable to deter future events and to provide an opportunity to improve officer performance. KDPS utilizes progressive discipline when appropriate.

Summary of Internal Investigations

The Office of Professional Standards is also tasked with investigations involving allegations of misconduct discovered internally, instances when deadly force is utilized, and when officers are involved in off-duty incidents involving law enforcement that could bring discredit to the department. These types of investigations, while rare, tend to involve more serious allegations being made against an officer.

In 2023, the Office of Professional Standards conducted four internal investigations into the actions of KDPS officers. One of these investigations is still open. Of the three completed investigations, one case resulted in the discovery of two policy violations. This resulted in the issuance of a written reprimand against the involved officer. No violations were found in the other two investigations. One of these cases was an officer-Involved Shooting (OIS) incident. The involved officers were cleared by both Professional Standards and the Kalamazoo County Prosecutor.

Analysis of Internal Investigations

The year's internal investigations were initiated for separate, non-connected issues, and no overarching deficiency areas were identified.

Use of Force (MLEAC 3.3.1)

Summary of Use of Force Incidents

The Office of Professional Standards is responsible for reviewing all use of force incidents involving KDPS officers. Anytime an officer uses force at a level higher than routine handcuffing, they are required to complete a use of force report. The report is then forwarded through the chain of command (i.e., from officer to sergeant, then to lieutenant) for review before ending up in the Office of Professional Standards. All use of force incidents are then reviewed again by Professional Standards. The layers of review allow



for multiple perspectives to evaluate each incident for policy compliance, training needs, equipment concerns, and potential policy changes.

In 2023, officers used force *beyond a firearm display* in 396 incidents, or once every 322 calls for service. Unless a person is being taken into custody for mental health reasons, nearly all use of force incidents are for the purpose of affecting an arrest (or an arrest becomes necessary because of a citizen's resistance). In 2023, KDPS made 3,793 arrests, meaning force was used in approximately 10% of arrests.

As a rule, the amount of force used by an officer is predicated on a person's level of resistance against them. Federal law requires that all force used by officers must be "objectively reasonable" considering the totality of circumstances. KDPS also has a duty to intercede policy which requires officers to intervene and report if they observe another officer using force that is clearly beyond what is objectively reasonable for the circumstances.

Definitions

The MCOLES Subject Control Continuum utilizes the following definitions regarding Subject Action ("Resistance") and Officer Response ("Force").

Subject Action

Inactive Resistance - Resistance that may include psychological intimidation and/or verbal resistance (e.g., blank stare, clenching of fist(s), tightening of jaw muscles, etc.).

Passive Resistance - Any type of resistance whereby the subject does not attempt to defeat the officer's attempts to touch and control the subject, but still will not voluntarily comply with verbal and physical attempts of control (e.g., dead weight, failure to obey verbal commands, etc.).

Active Resistance - Any action by a subject that attempts to prevent an officer from gaining control of the subject (e.g., pulling/pushing away, blocking, etc.).

Active Aggression - Physical actions/ assaults against the officer or another person with less than deadly force (e.g., advancing, challenging, punching, kicking, grabbing, wrestling, etc.).

Deadly Force Assault - Any force used against an officer or another person that may result in great bodily harm or the loss of life.

Officer Response



Officer Presence/Verbal Direction - Identification of authority; verbal direction; use of restraint devices.

Compliance Controls - Soft empty hand techniques; compliance control devices.

Physical Controls - Hard empty hand techniques.

Intermediate Controls - Intermediate weapons.

Deadly Force Response - Any force used by an officer that has a reasonable probability to cause death.

Summary, Cont.

KDPS separates force incidents into two categories to depict the actions of officers more accurately: *show of force* incidents and *use of force* incidents. Show of force incidents are limited to when an officer displays a firearm for compliance only, and no other force is used. Use of force incidents encompass all incidents where force is used above compliant handcuffing. Use of force incidents might also include a firearm display for compliance, in connection with other types of officer response. Officers can display their firearm in certain situations by policy to protect themselves or others. This display must be documented in an appropriate show of force or use of force report, depending on the situation, and there must be articulation on why the firearm display was necessary.

In 2023, there were a compiled 549 show of force and use of force incidents. Of these, 153 were documented as show of force incidents, while 396 were documented as use of force incidents.

Of the 396 documented use of force incidents, officers documented 1122 resistance levels by the subjects involved. This is notably higher than the total number of force incidents as a subject may demonstrate more than one type of resistance during an incident. The following chart demonstrates the documented subject actions in the aggregate faced by officers during this timeframe.

As observed in Figure 4 on the next page, of the 1122 subject actions documented in 2023, 552 (49%) were at the active resistance level or higher. The remaining subject actions were at a lower level of resistance.

An officer may use several different levels of force in a single incident depending on the levels of resistance offered by a citizen. The officer may start at a lower level of response and escalate or deescalate their response to a higher or lower level. During 2023, there were 1286 recorded officer responses used in the 396 incidents, absent verbal direction and officer presence. This amounts to approximately 3.2 officer responses and/or levels



of force being utilized in each use of force incident. Figure 5 on the next page demonstrates the officer responses used in 2023.

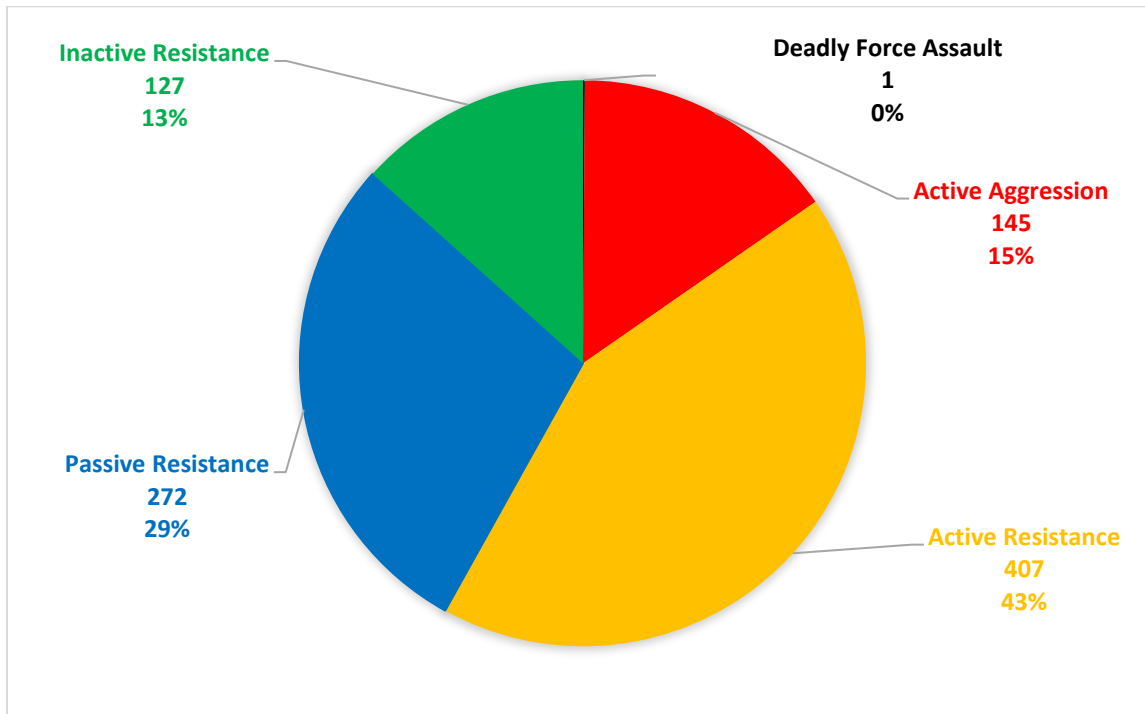


Figure 4. Use of force incidents: 2023 instances of citizen resistance

Officer responses do not include officer presence/verbal direction as this category of response occurs in every use of force incident. The most common officer response, outside of officer presence/verbal direction, is to use a compliance control (67%). This can include using pressure points, wrist locks, muscling, or having to physically maneuver a subject. The next common officer response is physical controls (20%). This includes strikes and takedowns. Firearms were displayed in 94 incidents (9%), intermediate controls (e.g., use of impact weapons, Taser, OC spray) were used in 4% of incidents. Deadly force was used in one incident, and a canine was used once to physically apprehend a subject.

All incidents where force must be utilized have the possibility of injury to both the subject and officer(s) involved. Injuries are more prevalent for both the officer and the citizen when officers must go hands-on with them. Injury rates tend to be lower when OC spray or a Taser are utilized. During 2023, officers were injured in 80 use of force incidents; citizens, in 94. The majority of the injuries to both citizens and officers were minor in nature and consisted of abrasions, sprain/strain, pain, and/or lacerations. Citizens and officers both received medical attention for their injuries whenever needed which consisted of minor first aid on scene, treatment by ambulance personnel on scene and/or treatment at a medical facility.



In 2023 incidents involving the use of force, subjects were charged for a criminal offense, and/or arrested, in 88% of incidents. Instances where a subject was not charged included (1) those experiencing a mental health crisis where an officer intervened to provide medical or mental health care, (2) where the citizen escaped an officer's attempts to take them into custody (e.g., fled on foot) and was not identified, or (3) when unique circumstances existed where an arrest was not appropriate.

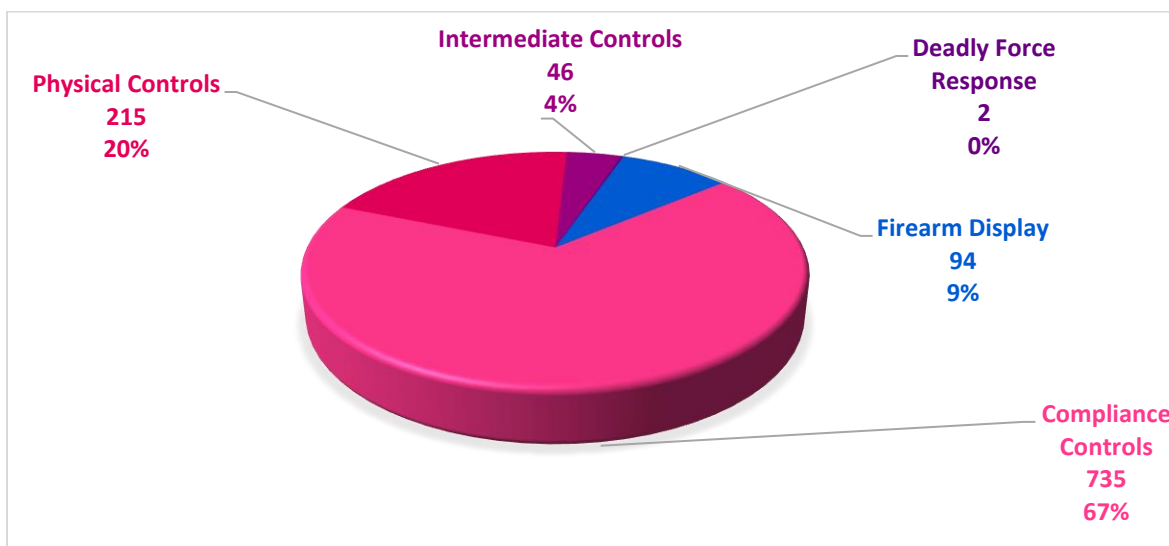


Figure 5. Use of force incidents: 2023 officer responses to resistance

Analysis of Use of Force Incidents

As a MLEAC-accredited police agency, a meaningful review must be conducted on every Use of Force incident. A meaningful review is an individualized assessment of the incident that evaluates whether policy was followed, discipline is warranted, training is required, equipment changes are recommended, or a change in a policy is needed. A meaningful review is done by the involved officers' front-line supervisor. Each incident is additionally reviewed by the Office of Professional Standards for policy compliance.

Policy Compliance/Discipline - None of the 396 Use of Force incidents in 2023 resulted in a determination that the force used was inappropriate, excessive, or unjustified.

The Office of Professional Standards received 7 external complaints in which it was reported that officers used unjustified force. Formal investigations were conducted based on the complaints. These investigations are summarized below:

1. The complainant alleged that officers unjustly sprayed him with OC spray. The investigation found that an officer deployed OC spray to break up a large fight outside a bar, and the complainant was hit with overspray while



attempting to push past the group. He was not intentionally targeted. The involved officer was exonerated of allegations of misconduct.

2. The complainant alleged that an officer shoved her to the ground without cause. The entire incident was captured on body camera, which showed that the complainant, who was attempting to interfere with an arrest, threw herself to the ground after an officer placed his hand on her shoulder while trying to coax her away from the scene. The allegation was determined to be unfounded.
3. The complainant (the same complainant as #1 above) alleged that officers used excessive force by pointing their firearms at his 10-year-old son. The investigation determined that officers entered the complainant's residence pursuant to a search warrant with their firearms drawn. A review of several body-worn cameras showed that the officers verbally acknowledged the presence of the child after making entry, and none of the officers came close to pointing their firearms at the child. The video showed each of them lowering their firearms and moving quickly past the child. The allegation was determined to be unfounded.
4. The complainant alleged that officers used excessive force by standing on her husband's neck and choking her child during an arrest. The investigation, which involved officer interviews and a review of body-worn cameras and dash cameras from multiple angles, determined that the alleged behavior did not occur, and officers acted appropriately to affect quick, safe arrests of both subjects. The complaint was determined to be unfounded.
5. The complainant alleged that an officer aggressively detained him, even after he notified him that his shoulder was broken. This investigation was hampered by a lack of cooperation from the initial complainant (which left out much needed details). A review of the incident showed that while the officer's use of force was appropriate and within policy (as the citizen physically resisted him multiple times during the arrest process), the officer did miss an opportunity to attempt to de-escalate the citizen's behavior early on. Regardless of whether the citizen decided to change their behavior, the office should have taken the opportunity to try. The allegation was not sustained against the officer.



6. The complainant alleged that an officer roughly put him in handcuffs and broke his finger during an arrest. A review of body-worn camera and in-car camera video showed that the arrest was completely compliant, without any force used by the officer. If the citizen was somehow injured during the process, he never alerted the officer of any pain or discomfort. The allegation was determined to be unfounded.
7. The complainant alleged that an officer shoved a door shut while he was standing in the doorway, causing him to nearly lose his balance and fall. A review of body-worn camera video showed that the complainant had attempted to interfere in a domestic assault investigation, and the officer began to close an open door in an attempt to remove him from the scene. The complainant was observed pushing the door back at the officer, and he did not lose his balance, stumble, or fall. The officer's actions were determined to be wholly reasonable, and the complaint was determined to be unfounded.

Policy Recommendations – No recommendations for policy changes were made during the meaningful review process.

Equipment Recommendations - There were eight equipment issues noted during the meaningful review process, however, no recommendations were made. All equipment issues noted were related to malfunctions of body-worn cameras. These include BWCs not syncing to the cruiser, BWCs falling off uniforms, shutting off accidentally, or having issues with correctly recording audio. These concerns were also noted in last year's annual report; however, since then, KDPS has signed a contract for new BWCs, which will be delivered in Spring 2024.

Training - During the meaningful review process, training was warranted in 76 incidents. Training typically occurs on an individual or small-group level, depending on the training needs, and is often conducted to improve operational soundness, efficiency, and officer safety. Training does not always indicate a deficiency. The analysis did not identify a department-wide deficiency or trend, however, did identify several areas where overall training could be improved. These areas include giving direct, verbal commands to a subject and subject control (defensive tactics, handcuffing techniques, and maintaining positive control of persons under arrest). A variety of other training needs were identified with newer officers, which were addressed by supervisors or field training officers.



Vehicle Pursuits (MLEAC 3.5.2)

Summary of Vehicle Pursuits

KDPS officers do not pursue every vehicle that flees from them, and the agency has a low number of vehicle pursuits relative to the overall number of drivers who choose to flee from officers. KDPS officers complete reports every time a vehicle flees from them, regardless of whether they choose to pursue. The purpose of this documentation is to demonstrate that officers weigh the totality of the circumstances along with potential community risk when making a pursuit decision.

In 2023, KDPS recorded 197 incidents in which a vehicle fled from an officer. KDPS officers chose not to pursue the fleeing vehicle in 130 of these incidents (66%), as the initiation of a vehicle pursuit did not comply with KDPS policy, or the risk caused by a potential pursuit was too great.

KDPS initiated a pursuit in 67 incidents (33% of total). 81% of those pursuits were initiated in response to a non-violent felony crime (e.g., stolen vehicle), whereas violent felony crimes accounted for 15% of pursuit initiations, followed by 4% being initiated for other reasons. Most pursuits initiated traveled less than 2 miles in total distance (65%), and most (61%) were terminated by the officer or supervisor (typically based on changing pursuit conditions). Of the 39% that were not terminated, the suspect driver stopped in 16% of incidents, or the pursuit ended in various other ways, including a vehicle crash or vehicle failure. Officers were able to utilize forced intervention (spikes, vehicle intercepts) in 5% of pursuits.

KDPS policy requires officers and their supervisors to constantly monitor the conditions of a vehicle pursuit and to terminate the pursuit if the risks of continuing the pursuit begin to outweigh the benefits of capturing the suspect. Officers are required to take factors such as the nature/seriousness of the complaint, time of day, traffic conditions, weather, and vehicle speeds into consideration when deciding to initiate and/or continue a vehicle pursuit.

Analysis of Vehicle Pursuits

As a MLEAC-accredited police agency, a meaningful review must be conducted on every vehicle pursuit and is completed by the involved officers' front-line supervisor. Each incident is additionally reviewed by the Office of Professional Standards for policy compliance.

A meaningful review is an individualized assessment of an incident that evaluates whether policy was followed/ whether discipline is warranted, whether training is needed, if equipment changes are recommended and whether a change in a policy is



needed. If a deficiency or violation is found after an individualized assessment, corrective actions are taken. Corrective actions are based on the totality of circumstances surrounding each incident.

Policy Compliance/Discipline - For vehicle pursuits that occurred in 2023, correction action in the form of discipline was warranted in four cases. The involved officers were issued written criticisms in all four incidents. In one of these pursuits, an officer pursued a vehicle outside of policy. In another, it was determined that an officer should have terminated the pursuit long before actually doing so. The other two instances involved officers driving above the speed limit without emergency equipment activated.

Policy Recommendations – During a meaningful review of a pursuit, a supervisor expressed concern over a vague word in the pursuit policy. Professional Standards agreed and added a definition of the term.

Equipment Recommendations- There were no recommendations to change equipment during the meaningful review process, other than dash-camera audio issues. This will be addressed with the implementation of Axon cameras in 2024.

Training - During the meaningful review process, training was warranted in 22 incidents, which included the four incidents where discipline was issued. Training is often conducted to improve operational soundness, efficiency, and officer safety, and does not always indicate a deficiency. Training topics included a review of KDPS Policy 307 (Vehicle Pursuits) on when pursuits can be initiated, on the appropriate use of lights and sirens, about safe driving techniques during pursuits, and using proper radio communications. An analysis of the noted training areas did not reveal any overt issues in relation to when an officer initiates a vehicle pursuit or in an officer deciding whether to continue or terminate a vehicle pursuit. However, recurring training topics included radio communications and safe driving techniques.

In late 2023, the KDPS pursuit policy was updated (and officers were provided with commensurate training) to expand the use of vehicle intercepts, which is a low-speed intentional contact between a vehicle and a patrol car meant to deny a suspect the ability to escape in a vehicle, and thus prevent a pursuit from occurring. 10 vehicle intercepts were utilized in 2023, potentially stopping ten additional pursuits on city streets.

Although not required by accreditation standards, KDPS has elected to conduct a meaningful review on all fleeing/eluding incidents as well, to ensure compliance with our pursuit policy. In 2023, 18 incidents were flagged during the meaningful review process as resulting in one or more of the following: discipline, training, a policy recommendation, or an equipment malfunction/recommendation. Of these 18 incidents, one written



reprimand and three written criticisms were issued due to policy violations. The majority of these incidents (including all those in which discipline was issued) involved driving above the speed limit or disobeying traffic control devices without emergency equipment activated.

Foot Pursuits (MLEAC 3.5.7)

Summary of Foot Pursuits

Foot pursuits are captured within the use of force module and are reviewed as a part of the use of force review. As such, the Office of Professional Standards is unable to delineate certain foot pursuit data from overall use of force data.

In 2023, KDPS documented 125 foot pursuits. In 116 of these incidents, the pursued subject was either arrested, or their identity was known and they were later charged for their actions. In the remaining nine foot pursuits, the subject either escaped capture, or the reason for the pursuit was mental health-related, and the person was taken into custody for care and treatment.

Officers received injuries in 24 incidents, and the pursued subject sustained injuries in 28 incidents. It is likely, however, that most of these injuries resulted from officers having to use force and not the foot pursuit specifically, as both are captured in the same reporting module.

Analysis of Foot Pursuits

As a MLEAC-accredited police agency, a meaningful review must be conducted on every foot pursuit incident. A meaningful review is an individualized assessment of the incident that evaluates whether policy was followed, whether discipline is warranted, whether training is required, if equipment changes are recommended and whether a change in a policy is needed. A meaningful review is done by the involved officers' front-line supervisor. Each incident is additionally reviewed by the Office of Professional Standards for policy compliance.

Policy Compliance/Discipline – All foot pursuits were found to comply with KDPS policy.

Policy Recommendations - There were no recommendations to change policy during the meaningful review process.

Equipment – Like years past, the meaningful review process noted some equipment issues related to officers' body-worn cameras – specifically, cameras falling off uniforms or unintentionally delayed activation. It is anticipated that the rollout of the Axon cameras this year will help largely eliminate these issues.



Training – Training, which typically occurs on an individual or small group level, is often conducted to improve operational soundness, efficiency, and officer safety, and does not always indicate a deficiency. The analysis of 2024 incidents did not identify any department-wide deficiencies or trends; however, training specific to foot pursuits was warranted in 24 incidents. These training issues included (1) giving clear verbal commands, (2) unintentionally delayed activation of body-worn cameras, (3) taking better control of situations to potentially *prevent* a foot pursuit, and (4) taking time to de-escalate subjects after they have been taken into custody. These issues tend to be a problem for newer officers in high-stress situations, and are corrected with training, repetition, and experience.

An analysis of the noted training areas did not reveal any larger issues related to officer decision-making to begin, continue, or end a foot pursuit.

Employee-Involved Crashes (MLEAC 2.1.4)

Summary of Employee-Involved Crashes

Kalamazoo Public Safety completes an internal traffic crash report whenever a vehicle owned by the City of Kalamazoo is involved in a traffic crash that results in property damage or injury. This includes crashes that occur on private property and those that occur on the roadway. If the crash involves a motor vehicle in transport on the roadway which results in death, injury, or property damage of \$1,000 or more, an additional UD-10 Traffic Crash Report is completed in accordance with Michigan law.

In 2023, KDPS responded to 57 traffic crashes involving vehicles owned by the City of Kalamazoo. Eighteen of the 57 crashes (32%) additionally required a UD-10 Traffic Crash Report to be completed. The involved officer was at fault in the crash 44% of the time (25 of the crashes). In 95% of the crashes, there were no reported injuries. Twenty-two crashes occurred on private property and five occurred during a vehicle intercept maneuver. There were no notable trends pertaining to the month, time, or location of the crashes.

Analysis of Employee-Involved Crashes

As a MLEAC-accredited police agency, a meaningful review must be conducted on every vehicle crash incident. A meaningful review is an individualized assessment of the incident that evaluates whether policy was followed, whether discipline is warranted, whether training is required, if equipment changes are recommended and whether a change in a policy is needed. A meaningful review is done by the involved officers' front-line supervisor. Each incident is additionally reviewed by the Office of Professional Standards for policy compliance.



Policy Compliance/Discipline – Discipline was issued in 15 crashes either in the form of a written criticism or written reprimand. This number is significantly higher than other categories analyzed in this report because KDPS policy has strict requirements for the issuance of discipline in traffic crashes.

Training – Training was conducted for 18 incidents, including all of the above incidents in which discipline was issued. Training was specific to each circumstance, and no department-wide or wider-ranging deficiency or training need was noted.

Equipment – No equipment recommendations were made.

Policy Recommendations – As a result of this year’s meaningful review, the disciplinary requirements in the vehicle crash policy were updated to reflect the rising cost of vehicle parts (the policy has a dollar amount threshold for when discipline will be issued).

Employee Injuries / Exposures (MLEAC 2.1.5)

Summary of Employee Injuries / Exposures

All employee injuries / exposures are captured on an on-the-job injury (OJI) form that is completed by the involved employee’s immediate supervisor. The supervisor conducts a meaningful review of the incident, and then routes the form through the chain of command to the department’s Health and Safety Officer for review.

In 2023, there were 87 injury / exposure reports submitted by KDPS personnel. As a result of these injuries, 48 employees required medical evaluation, with the remainder requiring only first aid or no immediate treatment. Figure 6 on the next page shows the cause of each injury / exposure report.

Analysis of Employee Injuries / Exposures

As a MLEAC-accredited police agency, a meaningful review must be conducted on every employee injury / exposure report. A meaningful review is an individualized assessment of the incident that evaluates whether policy was followed, discipline is warranted, training is required, equipment changes are recommended, or a change in a policy is needed. Each incident is meaningfully reviewed by the involved officers’ front-line supervisor, and additionally by the department’s Health and Safety Officer.

In 2023, a deficiency was noted in the department’s OJI form which would often cause front-line supervisors to miss points in the meaningful review process. The form was updated to ensure consistent capture of complete data.



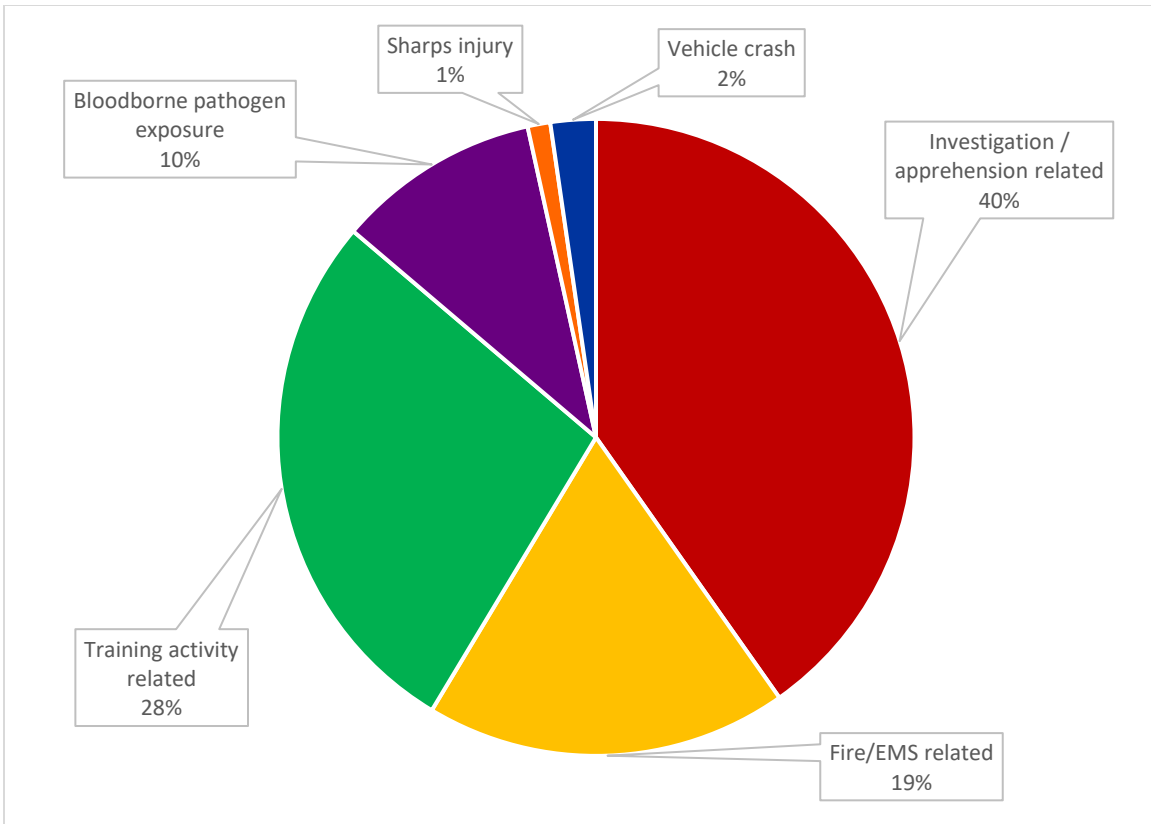


Figure 6. 2023. Causes of employee injuries / exposures as a percentage of total reports

Policy Compliance/Discipline – During the meaningful review process, discipline related to OJI was warranted in one incident. Discipline was issued to a single individual for a violation of policy in reference to motor vehicle operations.

Training – During the meaningful review process, training related to OJI was warranted in four incidents. Training is often conducted to improve operational soundness, efficiency, and officer safety, and does not always indicate a deficiency. Training occurred on an individual level and included assessing K9 temperament, alternative ways for K9 reward and obedience, subject control, review of personal protective equipment (PPE) recommendations, and communicating K9 handler needs during deployments. The reviews did not identify any department-wide deficiencies or trends.

Equipment – During the meaningful review process, equipment related issues for OJI were identified in three incidents. The equipment issues specifically dealt with use of a motor vehicle, a body-worn camera plate breaking and the use of protective gloves.

Policy Recommendations – There were no recommendations to change policy during the meaningful review process.



Police Canine (K9) Deployments (MLEAC 3.5.9)

Summary of K9 Deployments

Whenever a KDPS K9 is deployed to apprehend a person, and that deployment results in a bite (use of force), the Office of Professional Standards responds to investigate. The involved officer also completes a use of force report.

In 2023, a KDPS K9 was used to apprehend one person. This deployment resulted in an injury to the suspect's right arm.

Analysis of K9 Deployments

As a MLEAC-accredited police agency, a meaningful review must be conducted on every use of force incident, which includes K9 deployment. A meaningful review is an individualized assessment of the incident that evaluates whether policy was followed, whether discipline is warranted, whether training is required, if equipment changes are recommended and whether a change in a policy is needed. A meaningful review is done by the involved officers' front-line supervisor. Each incident is additionally reviewed by the Office of Professional Standards for policy compliance. The single bite incident was determined to be within policy, with no discipline issued, and no equipment changes needed. Training points were noted, which included timely activation of body-worn cameras, and the need for better, direct communication from the K9 officer to other scene personnel.

In addition to the above meaningful review, the K9 Unit also conducts after-action reviews of each deployment and re-create the scenario during weekly training to determine if the approach used was effective, and how deployments can be improved in the future.

As part of their ongoing weekly training, the eight members of the KDPS K9 unit collectively dedicated nearly 73 hours to bite and aggression training in 2023.

Operational Changes

2023 demonstrated the need for a new body-worn camera and dash camera system. Failures of the system, from cameras falling off uniforms to videos failing to record properly, the system proved that it needed to be updated. Fortunately, an entirely new body-worn camera and in-car camera system will be deployed in 2024, which will hopefully resolve some long-standing issues.

Additionally, two complaints highlighted the need for a streamlined evidence release process. The current process uses a combination of digital and paper records, which, unfortunately, can create long wait times for property releases, and can make proper property tracking difficult. This project will require careful consideration and review,



as it impacts one of the department's most high-liability functions. However, successful implementation of a new, more effective system will allow us to provide a higher level of service to those who interact with our agency.

Conclusion

The 2023 analysis demonstrated that officers display sound judgment and professionalism in their daily interactions with the public and that KDPS is a well-trained and well-equipped department.

In 2024, the Office of Professional Standards will continue to review and analyze all data to improve the overall quality of service that we provide to the City of Kalamazoo.

