

## VOLUSIA SHERIFF'S OFFICE



*Sheriff Michael J. Chitwood*

### 2020 ANNUAL ANALYSIS on 2019 Use of Force and Pursuits

In accordance with Standard Directives 1.1. Use of Force Guidelines, 1.3 Use of Less-Lethal Weapons and Devices and 41.2 Motor Vehicle Apprehension, the Professional Standards Section shall complete an annual analysis of all pursuits and use of force, to include use of deadly force, less-lethal force, and agency policies and practices.

The purpose of the annual analyses is to provide an additional means outside of the administrative review process to identify and address training deficiencies/opportunities, use of force trends among Deputies, and for protection of the Deputy, the Sheriff's Office, and the community.

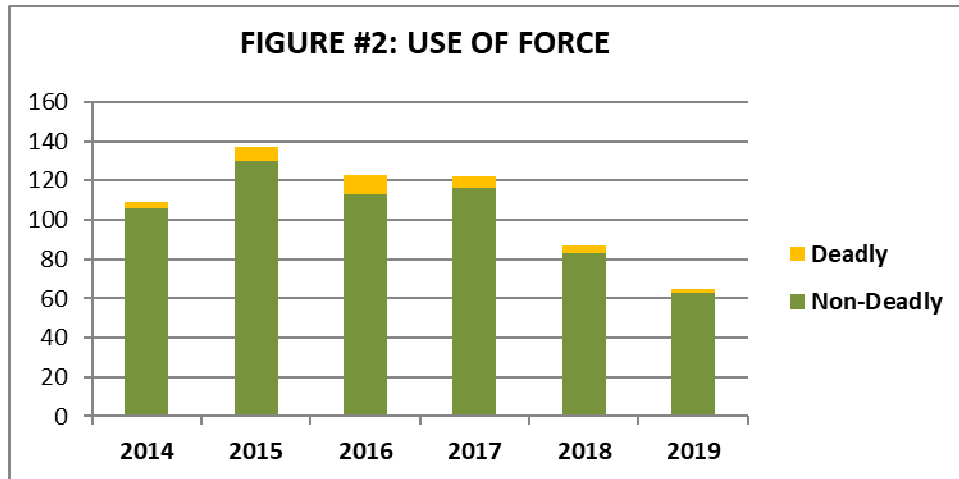
**FIGURE #1: Four Year Statistical Review Summary**

	2016	2017	2018	2019
<b>Total Calls For Service</b>	268,812	275,384	260,722	262,693
<b>Total Arrests</b> (Source: UCR)	12,454	13,079	10,488	9,370
<b>Total Index Crime Rate</b> (Source: UCR)	2,053	1,586	1,452	1,172
<b>Deadly Force Incidents</b>	10	6	4	2
Deadly Force Persons	6	6	3	2
Deadly Force Vicious Animals	4	0	1	0
Deadly Force Accidental Discharge	0	0	0	0
<b>Less-Lethal Force Incidents</b>	113	116	83	63
<b>Total Use of Force Incidents</b>	123	122	87	65
<b>Total Vehicle Pursuits</b>	3	5	7	6

#### **2019 USE OF FORCE**

During 2019, a total of 9,370 arrests were made by the Volusia Sheriff's Office (Ref.: 2019 UCR statistics). In effecting these arrests, the number of incidents requiring use of force in response to subject resistance was 65 incidents, or less than 0.7% of total arrests and less than 0.02% of

all calls for service interactions with the public. The remaining 99.3% of all interactions were made without incident.



**TREND ANALYSIS:**

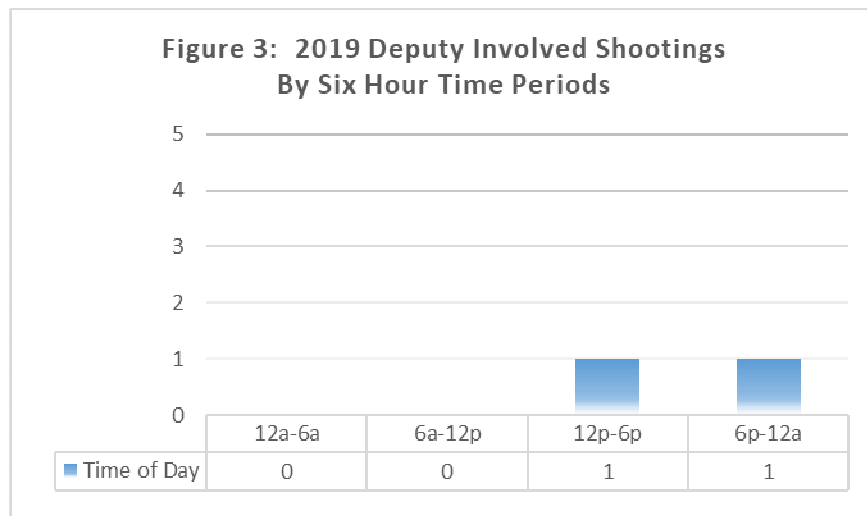
The above 6-year trend line indicates an increase upswing between 2014 and 2015; the trend begins to reverse in 2016, with 2019 showing a continued drop in use of force.

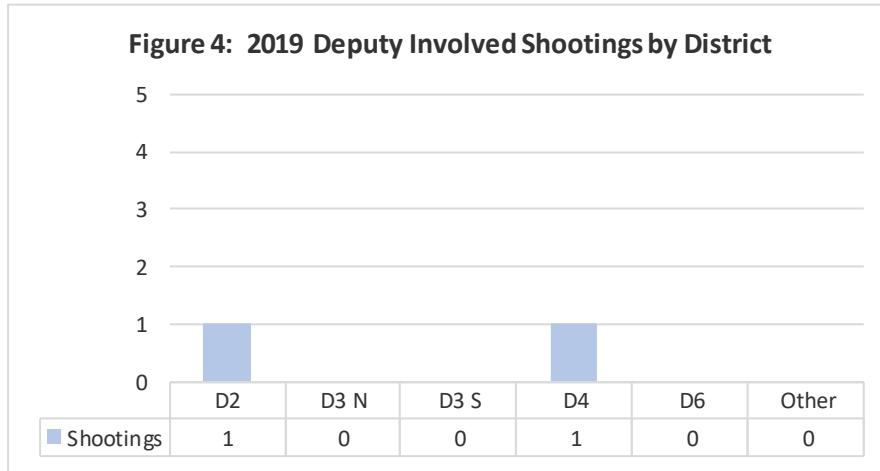
**DEADLY FORCE:**

Of the 131 uses of force in 2019, 2 incidents (0.015%) involved use of deadly force with a firearm against a person. In accordance with VSO’s MOU with the Florida Department of Law Enforcement (FDLE), the incidents were investigated; final reports forwarded to the State Attorney’s Office (SAO) for review. No further action was determined necessary in either case; as of this report, case #19-27362 is pending completion of VSO’s internal administrative review by the Internal Affairs Section.

**DATE, TIME AND LOCATION OF DEPUTIES UTILIZING DEADLY FORCE**

Of the two deputy involved shootings, (1) one occurred in April and (1) one in December 2019. One occurred between the hours of 18:00 and 24:00, and one occurred between 12:00 and 18:00 hours. (1) One of the incidents occurred in District 2 and (1) one incident in District 4.



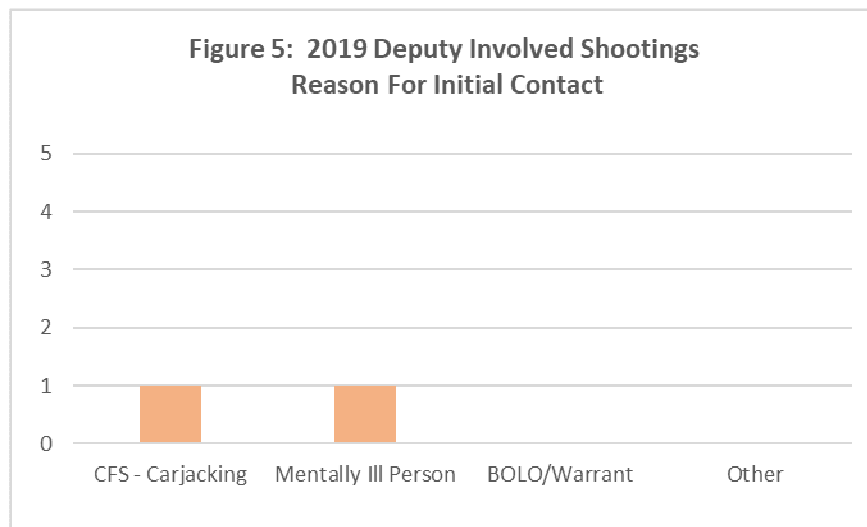


**RACE, GENDER AND AGE OF SUBJECTS IN DEADLY FORCE INCIDENTS**

Of the two subjects in the deadly force incidents, both subjects were Caucasian males. One of the males was between the ages of 25 – 34 and the other male was over 60.

**REASON FOR INITIAL DEPUTY CONTACT**

The reasons for the initial deputy contact are: (2) two calls for service (one carjacking and one mentally ill person).



**Case Report #19-7883 04/11/2019**

On April 11, 2019, Deputies responded to the call of a carjacking in Deltona. The suspect, later identified at Phillip Marsh, committed the crime of armed carjacking and fled the scene in the stolen vehicle. Deputies responded and a pursuit ensued. Deputies deployed Stop Sticks in an attempt to stop the vehicle, which proved unsuccessful. Shortly after, the suspects’ vehicle became disabled in the 3000 Block of East New York Avenue in Deland. The suspect exited the vehicle and attempted to commit another armed carjacking. Another Deputy blocked his attempt by using his assigned patrol vehicle to block Marsh from the intended victim. Marsh began firing his handgun at multiple deputies on scene, striking Sgt. Dane in the head.

Deputies returned fire as Marsh ran into the nearby wood line. Marsh was struck multiple times. Marsh was declared deceased. FDLE completed investigation, forwarded to the State Attorney's Office for review; determined no further action required. Internal Affairs review found action in compliance with VSO policy.

**Case Report #19-27362 12/24/2019**

On December 24, 2019, Deputies responded to 1003 West Gaucho Circle in Deltona. The deputies were responding to a 9-1-1 call indicating a mentally ill male, later identified as Harvey Cantrell, was armed and not allowing his sister to leave the residence or call for help. Deputies on scene were able to establish contact with the victim on the phone through another family member. Deputies instructed the victim to exit the residence and walk toward awaiting deputies. In doing so, Cantrell followed his sister outside of the residence. Deputies gave Cantrell loud clear commands to show his hands and he refused to obey. Cantrell then fired one round from his handgun, striking his sister. Three deputies then returned fire, striking Cantrell multiple times. Cantrell was declared deceased at the scene.

FDLE completed investigation, forwarded report to the State Attorney's Office for review. No further action required. As of 06-05-20, case #19-27362 is currently under administrative review by the Sheriff's Office Internal Affairs Section to determine policy compliance.

**LESS-LETHAL FORCE:**

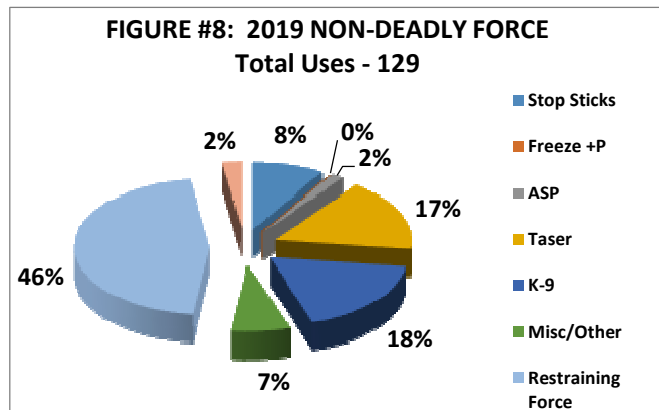
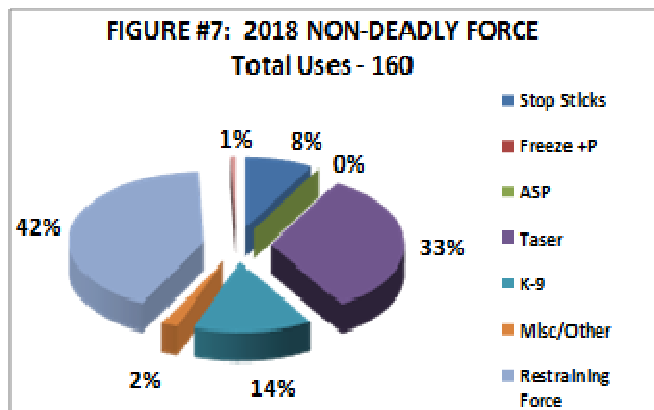
Based on the number of subjects and the level of subject-resistance, some incidents require multiple-deputy response and/or transition between more than one type of less-lethal force/weapon. Subsequently, more than one "use" of force per incident may be reported, resulting in a higher number of "uses" when compared to the number of "incidents" responded to.

In 2019, deputies responded to 63 different incidents requiring use of less-lethal force in response to subject(s) resistance. These 63 incidents required a combined total of 129 uses of various types of less-lethal force. The table below (figure 6) breaks down the less-lethal force by type and corresponding number of uses:

**FIGURE #6: BREAKDOWN OF NON-DEADLY FORCE BY TYPE**

<b>TYPE OF USE:</b>	<b>2016 No. of Uses</b>	<b>2017 No. of Uses</b>	<b>2018 No. of Uses</b>	<b>2019 No. of Uses</b>
Stop Sticks [Pursuit related]	40	28	13	11
Freeze +P	1	2	0	0
ASP	2	3	0	2
Taser	44	39	53	22
K-9	31	29	23	23
Drag-Stabilized Impact	0	0	0	0
Misc./Other (hobble, misc.)	4	2	3	9
Restraining / Physical Force	43	35	67	59
Restraint Chair (ERC)	3	0	1	3
<b>TOTAL COMBINED USES:</b>	<b>168</b>	<b>138</b>	<b>160</b>	<b>129</b>

## LESS-LETHAL FORCE BY TYPE: 2018-2019 COMPARISON



### ANALYSIS BY TYPE OF FORCE:

#### Top Three Less-Lethal Options Utilized:

59 uses of Restraining Force (46%)

23 uses of K-9 (18%)

22 uses of Taser (17%)

**RESTRAINING / PHYSICAL FORCE:** Restraining force represents 46% of all less-lethal force used during 2019 (59 uses). All uses of restraining force were administratively reviewed through the chain of command and all but two uses were found to be in compliance with policy. Internal Affairs investigated one restraining / physical force use.

**K-9:** K-9 use remained one of the top three uses for 2019 at 18% of the total uses (23); all uses were administratively reviewed and all were found to be in compliance with policy.

**TASER:** Taser use remains in the top 3 less-lethal use of force options, with 17% of the total (22 uses). No specific trends or patterns of change were identified; all uses were administratively reviewed through the chain of command and all but one use were found to be in compliance with policy. The Deputy was provided counseling and remedial training. Taser continues to be a valuable less-lethal option for Deputies to use with little or no lasting effects or injury to the subject.

#### INCIDENTS vs. USES:

The following chart (Figure #9) is a 5-year comparison in the numbers of less-lethal incidents to the subsequent uses of force in response to subject resistance. NOTE: A "use-to-incident" ratio is also provided for a proportionate comparison between years:

**FIGURE #9: LESS-LETHAL INCIDENTS VS. USES IN RESPONSE TO RESISTANCE**

5-YEAR COMPARISON:	2015	2016	2017	2018	2019
Total Arrests	13,477	12,454	13,079	10,488	9,370
Total Less-Lethal Incidents	130	113	116	83	63
Total Uses of Force (Responses to Resistance)	204	168	138	160	129
<b>Average Uses of Force per Incident (Ratio)</b>	1.6	1.5	1.2	1.9	2.0
Average Uses of Force per Arrest (Ratio)	.015	.013	.011	.015	.014

Analysis of the above chart shows that while the number of less-lethal incidents dropped 24.1% in 2019 from the previous year, the ratio of uses of force per incident and per arrest have both remained relatively unchanged.

One possible factor may point to the significant decrease in the number of arrests made since 2017 (CY 2018 decreased 19.8%; CY2019 decreased 10.7%) and it's leveling-off effect on the ratio of proportionate uses of force per incident. Recommend monitoring this trend to also include a review of the nature of the call and the subject's response to resistance. These 2 additional factors have been added to the UOF factors to be tracked for future analysis.

This consistent application of force regardless of the spikes and fluctuations in incidents and arrests are attributed in part to the agency's commitment to scenario-based training with emphasis on professional and effective command presence, swift control of the situation and subsequent de-escalation on the part of the Deputies.

**Multiple-Deputy Response:**

Of the 63 incidents responded to by the agency, 27 incidents (43%) required a combination of *multiple-deputy* response and accounted for 84 of the 129 uses (65%) of less-lethal force:

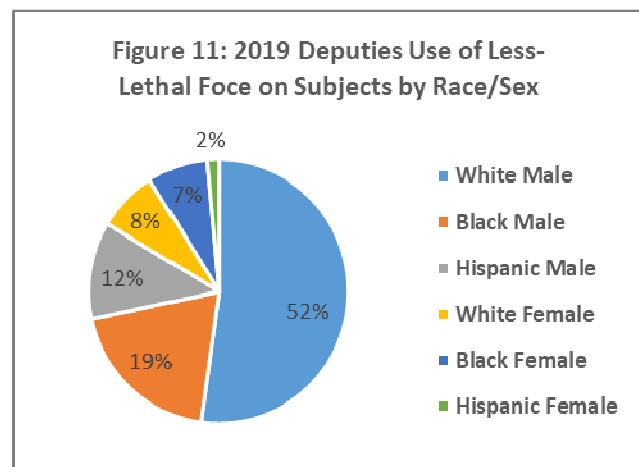
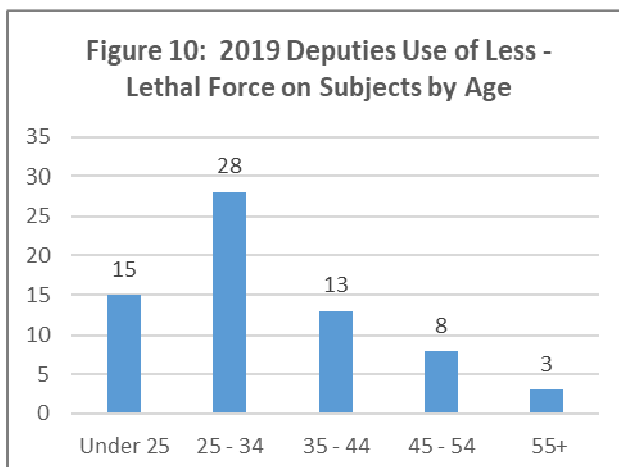
- 2-Deputy response = 15 incidents (24%); 36 uses (28%)
- 3-Deputy response = 5 incidents (15%); 17 uses (13%), [pursuit – 1 stop stick]
- 4-Deputy response = 4 incidents (6%); 9 uses (7%)
- 5-Deputy response = 2 incidents (3%); 11 uses (9%), [pursuit – 4 stop sticks]
- 6-Deputy response = 1 incident (2%); 11 uses (9%), [pursuit – 5 stop sticks]

**Single-Deputy Response:**

The remaining 36 incidents (57%) required single deputy response to resistance and accounted for 45 uses (35%) of less-lethal force.

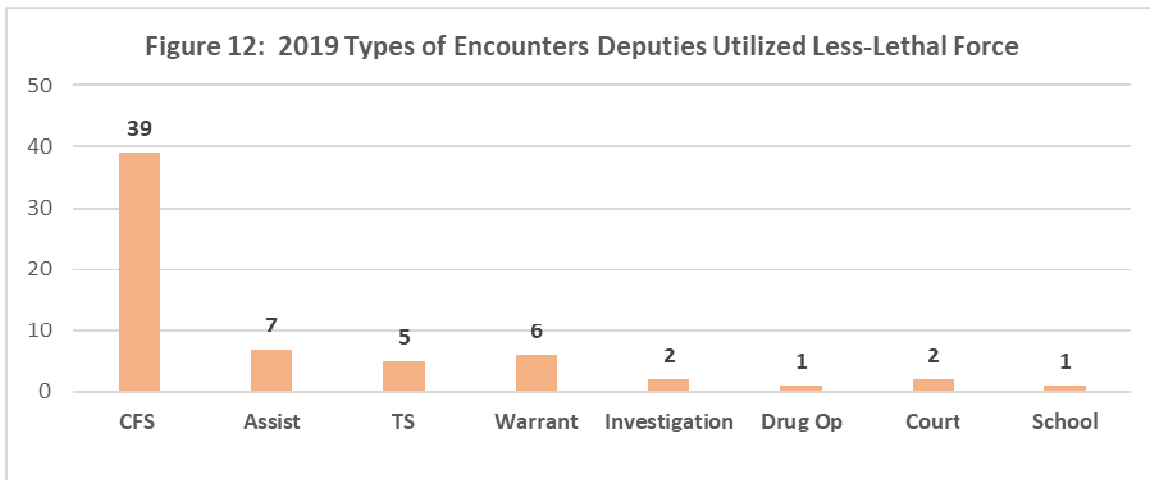
**RACE, GENDER AND AGE OF SUBJECTS IN LESS-LETHAL USE OF FORCE INCIDENTS**

Deputies utilized less-lethal force in response to resistance on 67 subjects. Of the 67 subjects, 56 are male and 11 are female; 35 Caucasian males, 13 African American males, 8 Hispanic males, 5 Caucasian females, 5 African American females, and 1 Hispanic female. The subject's age in less-lethal use of force are: 15 subjects under the age of 25, 28 subjects between 25 – 34 years of age, 13 subjects between the ages of 35-44, 8 subjects between 45-54 years of age, and 3 subjects are 55 years of age and older.



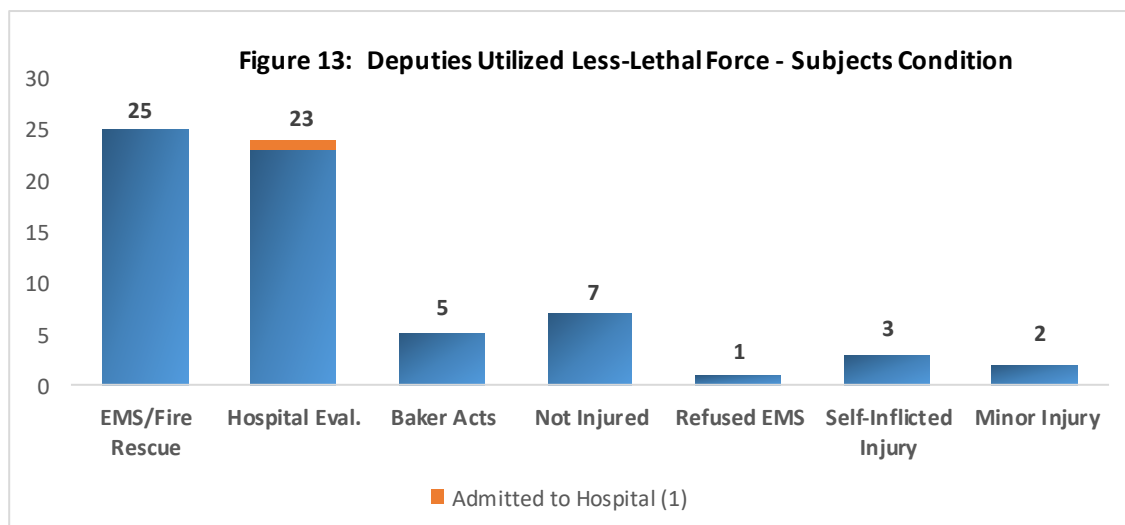
**TYPES OF ENCOUNTERS RESULTING IN DEPUTY UTILIZING LESS-LETHAL FORCE**

Deputies were responding to 39 calls for service (62%), assisting 7 law enforcement agencies (11%), 5 traffic stops (8%), 6 warrant service attempts (8%), 2 investigations (3%), a drug operation (2%), 2 incidents in courtroom (3%), and an incident at a school (2%).



**DEPUTY UTILIZED LESS-LETHAL FORCE – Response to Subject Resistance**

Of the 67 subjects where deputies responded to resistance with less-lethal force, the following summarizes the subjects' injury/condition: 7 subjects were not injured (11%); 3 subjects had self-inflicted injuries (5%), 2 subjects had minor injuries not requiring EMS (3%); 25 subjects were treated/released by EMS or Fire/Rescue (37%); 1 subject refused EMS (1.5%); 23 subjects were evaluated at a hospital (34%); 1 subject was admitted to the hospital from a K-9 deployment (1.5%); 5 subjects were admitted to the hospital on a Baker Act (7.5%).

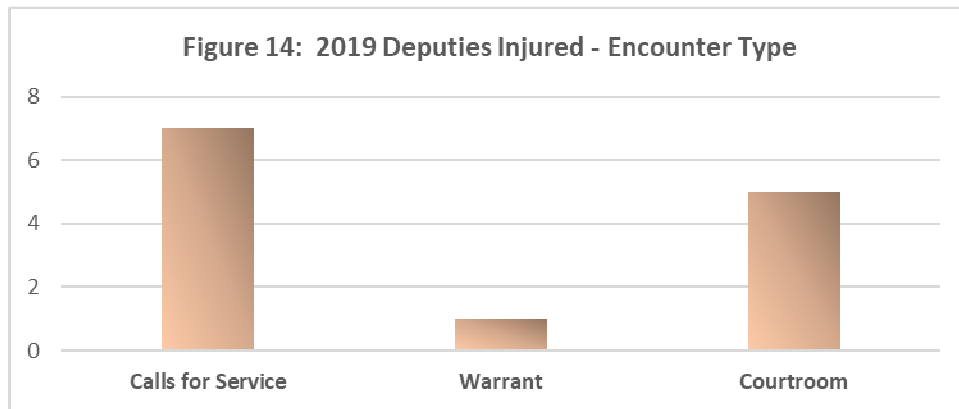


**DEPUTIES INJURED IN ENCOUNTERS WHERE LESS-LETHAL FORCE UTILIZED**

In the 63 incidents where Deputies utilized less-lethal force, 13 Deputies were injured (12%).

- 2 Deputies treated by Fire / Rescue on scene (2%)
- 3 Deputies went to the hospital (3%)
- 8 Deputies did not require or refused medical services (2%)
- 100 deputies were not injured (88%).

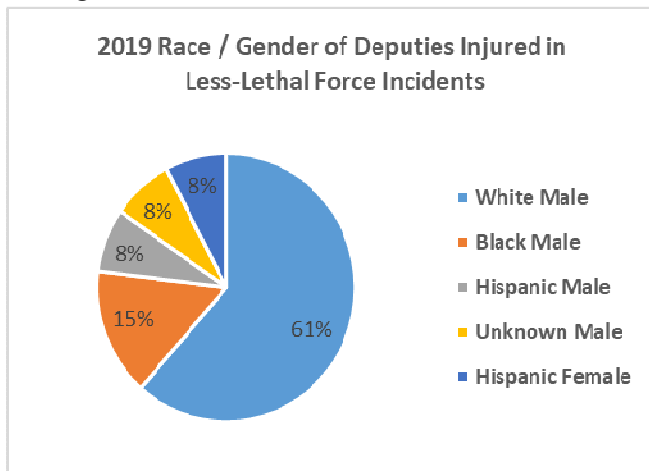
Seven (7) Deputies were responding to calls for service (54%), one (1) Deputy was attempting to serve a warrant (8%), and five (5) Deputies were in a courtroom (38%).



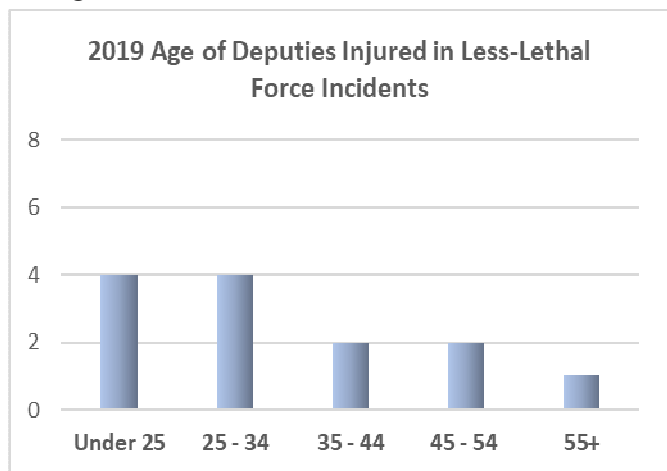
**RACE, GENDER & AGE OF DEPUTIES INJURED IN LESS-LETHAL FORCE ENCOUNTERS**

The breakdown of the Deputies injured is eight (8) Caucasian males (61%), two (2) African American males (15%), one (1) Hispanic male (8%), one (1) unknown male (8%), and one (1) Hispanic female (8%). The ages of the Deputies injured are: four (4) Deputies were under 25 (31%), four (4) Deputies were between the ages of 25 – 34 (31%), two (2) Deputies were between the ages of 35 – 44 (15%), two (2) Deputies were between the ages of 45 – 54 (15%), and one (1) Deputy was 55 years of age or older (8%).

**Figure 15:**



**Figure 16:**

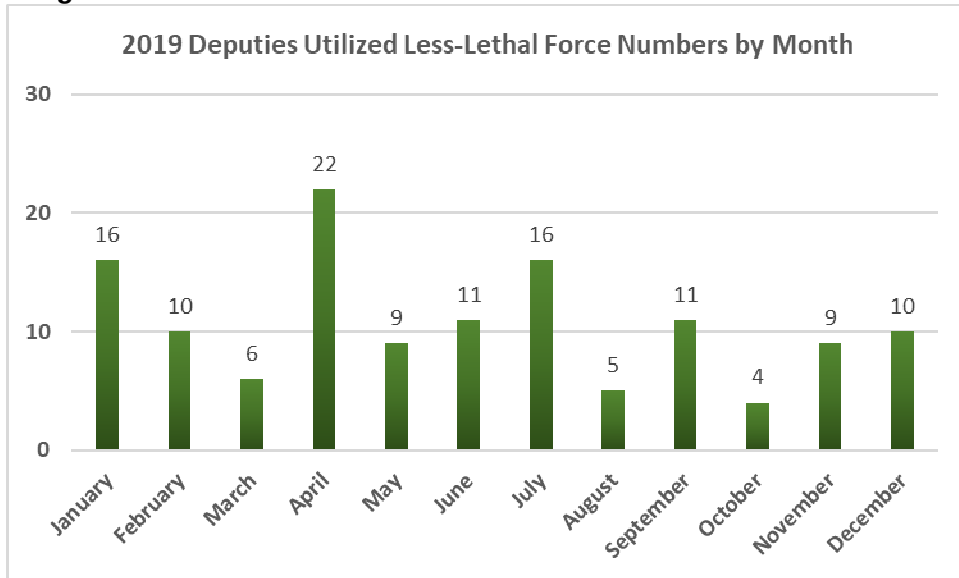


**DATE AND TIME LESS-LETHAL FORCE UTILIZED**

Deputies utilized less-lethal force on subjects: 16 times in January (12%), 10 times in February (8%), 6 times in March (5%), 22 times in April (17%), 9 times in May (7%), 11 times in June (8%), 16 times in July (12%), 5 times in August (4%), 11 times in September (8%), 4 times in October (3%), 9 times in November (7%), and 10 times in December (8%).

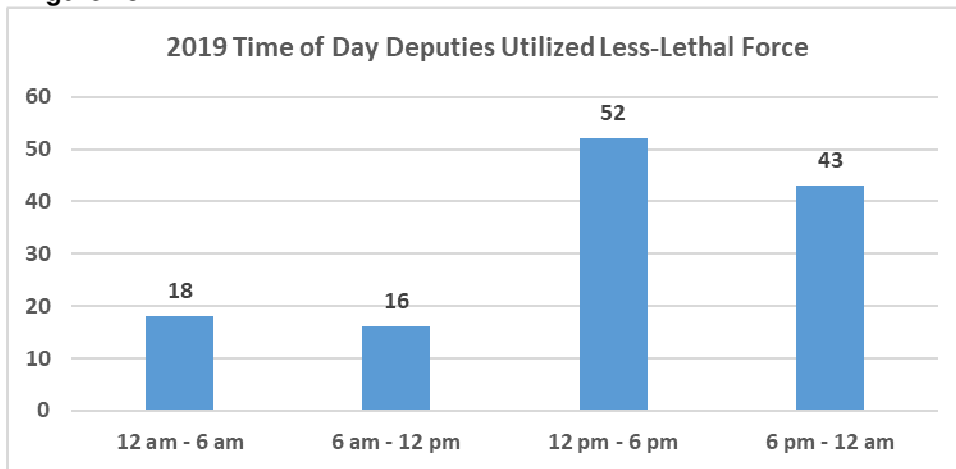


**Figure 17:**



Of the 129 uses of less-lethal force, 18 uses occurred between 12 am – 6 am (14%), 16 uses occurred between 6 am – 12 pm (12%), 52 uses occurred between 12 pm – 6 pm (40%), and 43 uses occurred between 6 pm -12 am (33%).

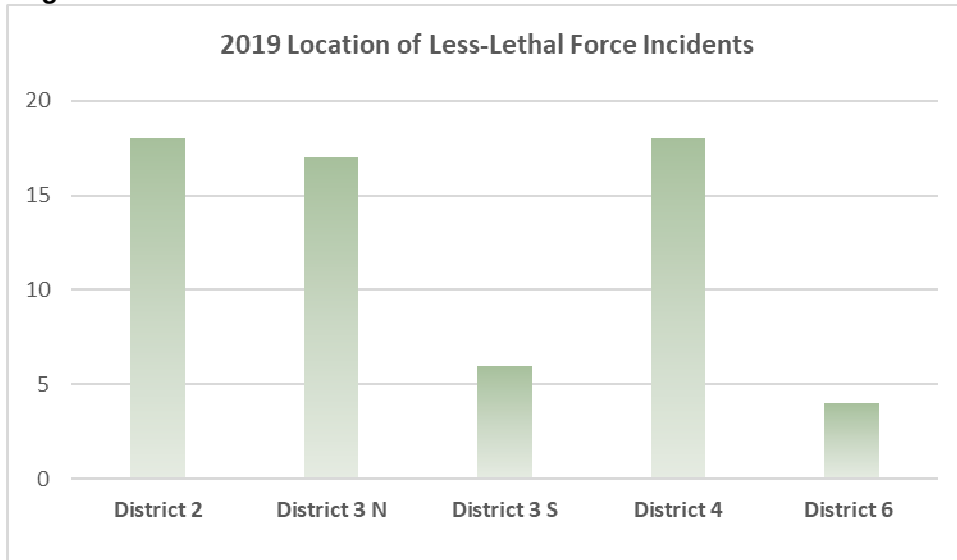
**Figure 18:**



### **LOCATION OF LESS-LETHAL INCIDENTS**

Of the 63 incidents of less-lethal force, 18 incidents occurred in District 2 (29%), 17 incidents in District 3 N (27%), 6 incidents in District 3 S (9%), 18 incidents in District 4 (29%), and 4 incidents in District 6 (6%).

**Figure 19:**



**2019 REVIEW OF USE OF FORCE POLICY AND PRACTICES:**

*IAPro Blue Team* was launched in February of 2018. Internal Affairs indicates a vast improvement in reliability of data over the past system. In addition, this management software provides for collection of demographic data, which has not been feasible in the past.

Volusia Sheriff’s Office revised both its New Deputy Training and Deputy Training Officer programs to increase training impact and enhanced field evaluation. The revisions have received positive feedback - from both trainers and recruits - and provides enhanced direction/coaching of new deputies. Training staff continues to be very proactive in maintaining curriculums that address field-based events utilizing the state-of-the-art simulator.

Statistical data on use of force, crime and number of arrests indicate dramatic reduction in both use of force and the number of deputies assaulted. Since implementing the new training model beginning in 2017, and with continued emphasis and investment in the Guardian and de-escalation philosophies, the agency has seen a 47% decrease in the use of force incidents overall, and 67% decrease in use of deadly force in 2019 over that of 2016.

In September 2019, Directive 1.1 Use of Force Guidelines and 1.3 Use of Less Lethal Weapons and Devices were revised to include use of the new BolaWrap, a remote restraint device to increase less lethal options. No additional changes are required at this time.

Review of the Sheriff’s Office’s various community relations activities including numerous functions, events and proactive engagements provides a very robust approach to interacting and inviting the community into the mission of the Sheriff’s Office as an important partner in making positive changes and building trust. Active use of social media by the Office of Public Affairs and Media Relations as an essential communication tool continues to raise awareness and open doors for dialog, understanding and future opportunities. This investment is vital to engaging all segments of the community and especially crucial when highly emotional incidents/events

## PURSUIT ANALYSIS

**FIGURE #20: PURSUIT MATRIX**

Incident	Time	Reason for Pursuit	Method of Termination	Result in Crash	Injuries/Hospital	Avg/Max mph	Total Distance miles/time	Violator Eluded/Arrested	Within Policy
19-7883 VP 19-001	14:28	Carjacking	Offender stopped after successful stop stick deployment (4)	No	Sgt. shot at; evaluated at hospital released	52.72 / 100 mph	29 miles / 33 minutes	No / no deadly force incident	Yes
19-12453 VP 19-002	16:40	carjacked US postal truck – OBPD pursuit; Deputy pulled behind truck and initiated pursuit w/o authorization.	Stop Sticks Crash (1)	Yes	Yes, hospital	82.28 /	2.4 miles / 1:45	No / Yes	violated policy -Sgt. did not authorize/ OBPD did not ask for assistance
19-14832 / VP 19-003	17:24	homicide suspect	Driver stopped	No	No	60.9 / 87.2	8.5 miles / 11 minutes	Yes	Yes
19-14846 / VP 19-004	18:57	Assist DBPD shooting suspects	Stop sticks (5)	No	Defendants bitten by K-9s Medical treatment rendered	/ 100 mph	20 miles / 14 minutes	Yes	Yes
19-25443 / VP 19-005	18:04	Suspect intentionally hit a pedestrian – road rage incident	Driver stopped	No	Only the pedestrian	51.91 / 81 mph	6.1 miles / 7 minutes	Yes	Yes
19-4075 / VP 19-006	23:45	Assist OBPD Armed robbery	FCSO & BPD deployed stop sticks	No	K-9 bites to two defendants Medical treatment rendered	90.15 / 107 mph	Over 10 miles / 11 minutes	Yes	Yes

### **PURSUIT REVIEW:**

There were six (6) pursuits during 2019; supervisory and administrative reviews were well-documented providing good detail. Two (2) of the six (6) were initiated in assistance of other agencies (33%).

Upon administrative review, all pursuits were found to be within policy with the exception of VP-19-002, in which the deputy was found in violation of several policies. The deputy was relatively new; the deputy did not properly communicate with his supervisor; pursuit was not authorized; deputy operated vehicle in an unsafe manner for road conditions; pursuit entered another

county's jurisdiction without notifying supervisor. After review by Internal Affairs, the deputy received a letter of reprimand for the policy violations and received remedial training on VSO Directive 41.2 Motor Vehicle Apprehension.

**Stop Sticks** - During 2019, Stop Sticks were deployed eleven (11) times in support of planned tactical measures to terminate pursuits. In three (3) of the six pursuits, stop sticks were successfully deployed terminating the pursuits, with one ending in suspect vehicle crash. In two (2) pursuits, the drivers stopped, thus terminating the pursuits.

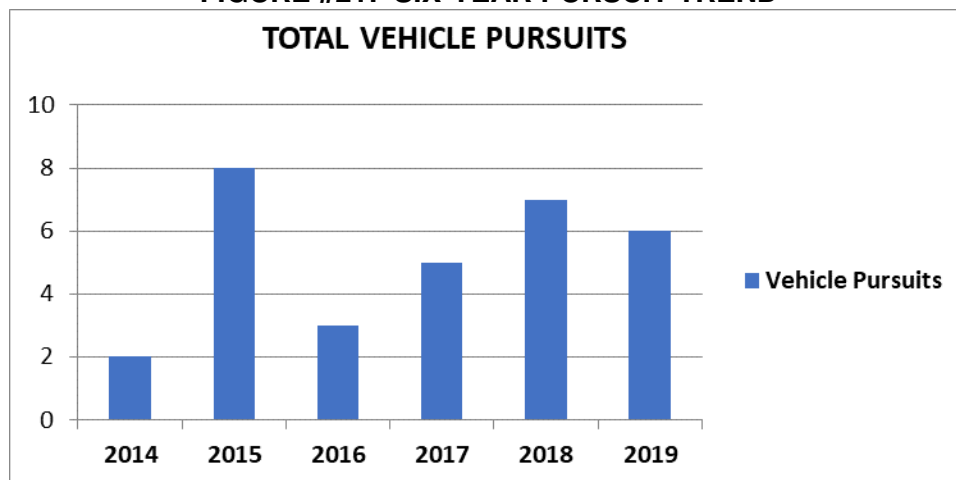
**It is recommended** that tracking use of Stop Sticks, although forcible stopping, be moved from use of force tracking to pursuit data tracking beginning with the CY2020 analysis.

NOTE: Deputies also utilized 68 additional stop sticks in motor vehicle apprehensions in order to **prevent** escalation/engaging in active pursuits. Of the 68 deployments, 65 (96%) were successful in preventing pursuits.

The below 6-year trend line 2014 - 2019 indicates an average of 5.2 pursuits/year.

Historical review for this period 2014 - 2019 reflects that of the 31 pursuits, 3 (10%) were found not in compliance with established policy.

**FIGURE #21: SIX-YEAR PURSUIT TREND**



**REVIEW OF PURSUIT POLICY AND PRACTICES:**

Review of agency policy and practices indicates good use of additional resources such as Air One, K-9 and support vehicles. Primary and support vehicles are functioning in their proper roles.

The agency trains all sworn officers in emergency vehicle operations, roadblocks and stop sticks. The use of PIT maneuvers has been suspended and is not authorized unless deputies are selected to receive training and documented proficiency in such a pursuit termination technique. Since approved for use June of 2009, no use of the PIT maneuver has been made to date. Discussed with Training Commander; future retraining is currently under review/consideration.

Supervisory and administrative reviews are being conducted and documented in accordance with policy and forwarded through chain-of-command. As with all incidents involving pursuits, Command Staff conducts final review for justification and policy adherence as presented by IA.

In addition to review of all pursuits, the agency conducts administrative reviews through chain of command on all motor vehicle apprehensions as a precautionary measure to ensure established procedures are being followed and that law enforcement response does not elevate to “pursuit mode” in violation of policy. This review facilitates the early detection of potential training needs, ensures continued deputy safety, and preserves the intent of policy and integrity of practice. Documented progressive discipline is utilized when needed.

Overall, the combination of strict pursuit guidelines, training, supervisory authorization and review, and professional deputy restraint continue to keep the number of pursuits to minimum numbers. In addition, the supervisory authorization and the review process itself adds a level of accountability and an evaluation element to each incident, which re-enforces the practice of individual professional restraint. This review process also provides a means to address any policy issues in a timely manner to ensure that practice continues to reflect procedure; no change to policy was required during this review period.

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Professional Standards  
April 30, 2020