

2023 ANNUAL USE OF FORCE REPORT

MONTGOMERY COUNTY
DEPARTMENT OF POLICE



July 15, 2024

Prepared by:
The Policy and Planning Division

TABLE OF CONTENTS

02

Message from the Chief

04

Introduction

Analysis

06

Data Analysis	06
Demographics of Subjects and Officers	10
Activity When Force Was Used	13
Offense Types	14
Types of Force Used	15
Injuries to Officers and Subjects	18
Medical Treatment for Officers and Subjects	19
Contributing Factors	20

22

Summary

MESSAGE FROM THE CHIEF



The words “use of force” on the surface may seem very simple. However, as this report and previous reports in this series demonstrate, “use of force” is anything but simple.

Similar to many things in law enforcement, the definitions of exactly what constitutes the use of force and how incidents should be reported are constantly evolving. The Maryland legislature has made changes, as has the Montgomery County Council. Within our own Department, we constantly evaluate and make our own changes to the circumstances and definitions of when force should be used, and what type of force is appropriate to differing circumstances.

As noted in last year's 2022 Annual Report, two critical changes dramatically increased in use-of-force reporting. Effective February 1, 2022, pointing a weapon, such as a Taser, a service weapon, or pepper spray, at someone is now considered and documented as a use-of-force.

Effective July 1, 2022, the intentional use of any physical effort by law enforcement other than compliant handcuffing or unresisted escorting to control, restrain, or place an individual in custody replaced the previous use of force reporting requirement: "anytime force is used to counteract a physical struggle."

For last year's report, 1,415 uses of force were reported, compared with only 593 in 2021. That initial increase was due to legislation requiring new actions to be counted. As these important changes were only effective for a portion of last year, 2023 is the first full year of collecting data with both new factors considered.

In 2023, there were 1,722 use-of-force incidents, an expected increase from the 1,415 incidents the year before. Calls for service also increased to 206,407 last year from 193,306 the year before. The calls-for-service vs. use-of-force data indicates that force is consistently used in less than 1% of incidents. In 2023, the rate was 0.83%, meaning eight uses of force for every 1,000 calls.

As is typically the case, the type of force most commonly used by officers is simply their hands grappling with someone resisting arrest. In 2023, making or attempting an arrest, serving an emergency evaluation petition, and defending against assault accounted for 83% of the activities where officers needed to employ some force in response to resistance, compared to 76% in 2022.

In 2023, when force was used, officers used their hands 71% of the time to respond to resistance. When hands were used, 83% of the time, hands were used as a control technique, 32% as an escort, and only 2% of the time to strike someone. The report also found that mental illness, drugs, or alcohol were the three largest contributing factors in incidents when force was used.

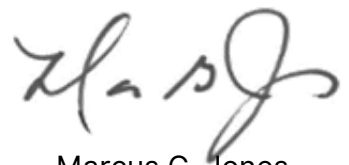
The report also tracks contributing factors to the use of force. Of the total use-of-force incidents in 2023, alcohol was a factor 19% of the time; drugs were a factor 15% of the time, and mental illness was a factor 30%. At least one of the three factors was present 53% of the time.

In sum, we take the use of force very seriously. All reported use-of-force incidents are subject to various levels of supervisory and executive review to ensure that each use of force by all officers involved complies with all applicable laws and policies.

We constantly train our officers in de-escalation techniques and have guidelines for how they should use force, depending on the level of resistance they encounter. We monitor best practices nationwide to develop model use-of-force policies for our officers.

We also take complaints about inappropriate and unnecessary uses of force and accountability extremely seriously; that is why all complaints, regardless of the source, severity, or nature of the specific allegations, are promptly and thoroughly investigated by our Internal Affairs Division. In some cases, these cases are reviewed by an agency outside of Montgomery County.

This report contains a great deal more information. Thank you for reading it. If you have questions, I encourage you to email me at CHIEFMCPD@montgomerycountymd.gov.

A handwritten signature in black ink, appearing to read 'M. G. Jones', written in a cursive style.

Marcus G. Jones
Chief of Police

INTRODUCTION

The annual report data is obtained from Use-of-force reports completed by officers for incidents in 2023 when some force or action was used in response to resistance. This report is intended to provide an overview of these incidents and identify trends and other issues that need to be addressed.

In 2022, the MCPD significantly expanded the Mandatory Reporting Requirements to provide transparency and better data analysis. As anticipated, the expanded reasons now requiring the completion of a Use-of-force Report have created a sharp increase in Use-of-force Reports. Because of the changes implemented, the use-of-force data from 2022 cannot be directly compared with data from prior years. With a full year of collected data, comparisons with the previous year's data can resume. Readers can locate a summary of the changes that were implemented in 2022 in the 2022 Annual Use of Force Report on the [Montgomery County Department of Police website](#)¹.

Excessive force—a violation of policy and law—is always wrong. As a result, recent police reform initiatives, conversations, and policy/law changes focus on reducing the need to use force even when it may be appropriate. Police have the right to use force to effectuate a legitimate law enforcement objective, such as making an arrest or otherwise maintaining public safety². Police, like civilians, also have the right to use appropriate force to defend themselves or others.

Nationally, police use of force is rare. In a recent federal survey³, of the 54 million people who had contact with police in 2020, two percent indicated police either threatened to or did use force. In Montgomery County, less than one percent of contacts with police involved the use of force, well below the national average. Types of force used by police may include any of the following:

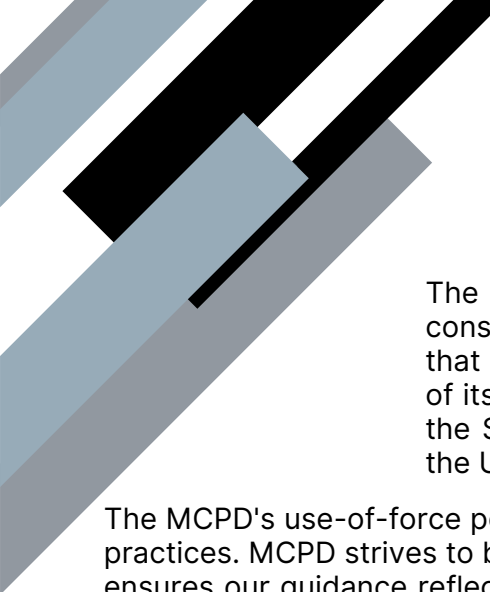
- Verbal commands or warnings can include simple instructions or requests to stop or more forceful commands to comply with police orders.
- Physical control: This may include soft physical tactics to control subjects without injury, such as handcuffing or guiding a subject to another location. Hard physical control involves using physical force to subdue a subject, such as tackling or wrestling.
- Chemical Agents: Pepper spray or tear gas, used to control a situation or subdue a subject resisting arrest.
- Impact Weapons: These include batons, tasers, or rubber bullets, which are designed to incapacitate a suspect without causing serious injury.
- Firearms: This is the most extreme force and should only be used as a last resort. Police officers may use deadly force to protect themselves or others when they perceive a threat of serious bodily harm or death.

When a police officer decides to use force, it must be necessary and proportional. This assessment is specific to the time, place, officer, and other situational conditions, helping determine the totality of the circumstances and whether the force was necessary and objectively reasonable.

¹ <https://www.montgomerycountymd.gov/pol/crime-data.html>

² Use-of-force Council Briefing, Legislative Analyst Susan Farag

³ Contacts Between Police and the Public, 2020.



The Montgomery County Department of Police (MCPD) has historically and consistently established use-of-force policies based on the fundamental principles that prioritize the safety, dignity, and value of every human life, including the life of its police officers, and in compliance with the Constitution of the United States, the State of Maryland, as well as case law established by the Supreme Court of the United States.

The MCPD's use-of-force policies reflect current and evidence-based research, national trends, and best practices. MCPD strives to be proactive in its approach to policy development and training, a position that ensures our guidance reflects applicable laws and legal mandates. The Commission on Accreditation for Law Enforcement Agencies (CALEA) also requires annual reporting and analysis of Department use-of-force policies and procedures. Adhering to CALEA requirements ensures our agency will identify necessary policy modifications or trends and improve training and officer safety while providing timely information to address any use-of-force issues.

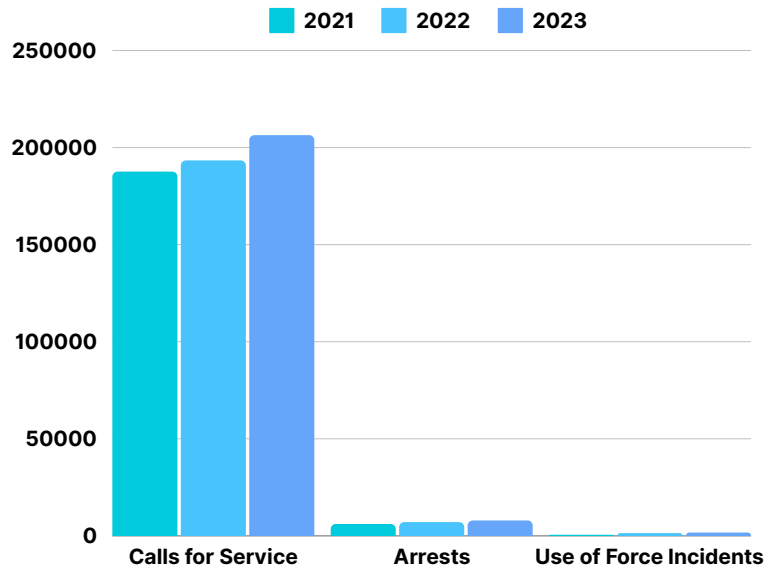
Participation in CALEA is the primary method for a police agency to demonstrate its commitment to excellence in law enforcement voluntarily by systematically conducting an ongoing internal review and assessment of the agency's operations, policies, and procedures and adjusting wherever necessary to meet a body of internationally accepted standards. The MCPD is dedicated to creating a culture of safety, transparency, and accountability and has been a CALEA-accredited law enforcement agency since 1993.

The authority to use force in response to resistance when legitimately required remains a foundational pillar of the rule of law. It is essential to keep communities safe and to protect the officers charged with enforcing the law. The decision to exercise force must be based on the circumstances the officer reasonably believes to exist. However, officers must sometimes make split-second decisions about the force necessary for a particular situation, with limited information and tense, uncertain, and rapidly evolving circumstances.

COMPARATIVE DATA ANALYSIS

The calls-for-service vs. use-of-force data indicates that force is consistently used in less than 1% of incidents. In 2023 the rate was 0.83%, meaning eight uses of force for every 1,000 calls.

The arrests vs. use of force statistics indicate that one in five arrests (22%) involved a use-of-force incident.



Category	2021	2022	2023
Calls for Service	187,620	193,306	206,407
Arrests	6,145	7,115	7,942
Use of Force Reports	593	1,415 503 ONLY Pointing, 912 Use of Force	1,722 606 ONLY Pointing, 1,116 Use of Force

2023 Use of Force Comparative Data⁴



⁴ Council Briefing: Police Statistical Data, Legislative Analyst Susan Farag.

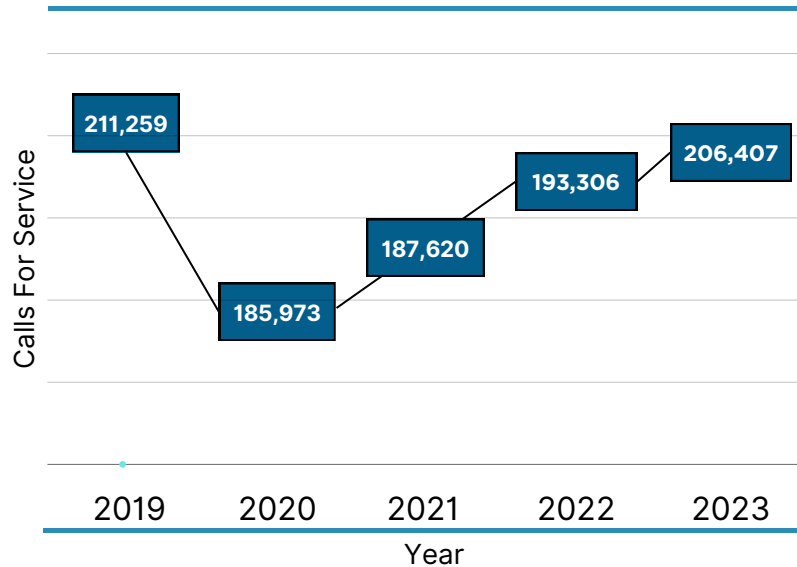
CALLS FOR SERVICE

In 2023, calls for service increased by 7% from 2022. However, over five years, calls for service are down 2% from 2019.

The steady increase in calls for service also means an increased demand for police services. In the fall of 2023, the MCPD launched the Drone as First Responder (DFR) Pilot Program. The DFR program assists patrol officers with quickly locating suspects and solving crimes in progress, which allows more officers to respond to emergency calls or other activities.

The Violent Crime Information Center (VCIC), introduced in 2022, also aids patrol officers in monitoring radio calls for service and reviewing camera feeds in the area around the call to look for possible suspects⁵.

⁵ Police Staffing Council Briefing (2024) Legislative Analyst Susan Farag

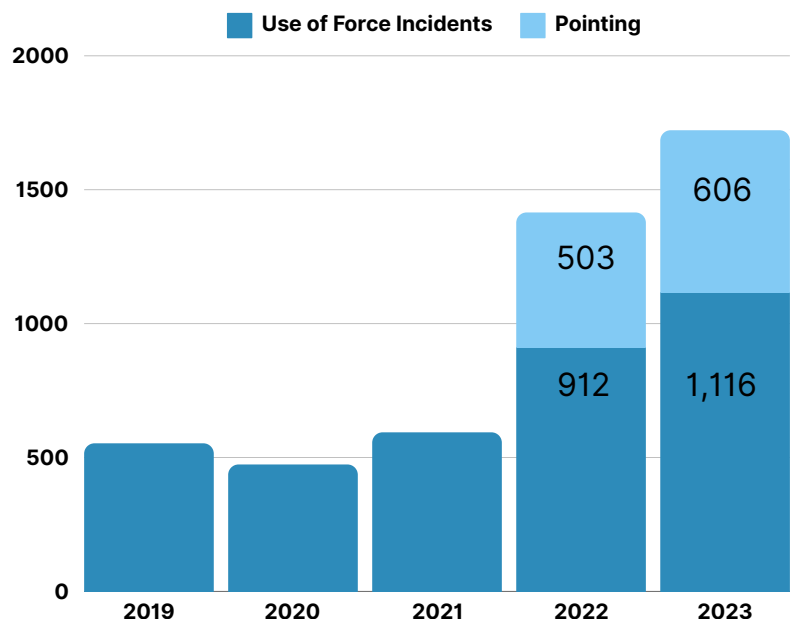


Statistics

USE OF FORCE TREND

In 2023, there were 1,722 uses of force, 1,116 involving physical force, and 606 of which ONLY a weapon was pointed. In 606 instances (35%), the presence of an officer's weapon de-escalated the situation, and no physical force was needed. The remaining 1,116 instances may have included the pointing of a weapon, but physical force was used to manage the situation effectively.

In 2023, there was a 7% increase in calls for service and an 11% increase in the overall crime rate. Motor vehicle theft increased by 133%, robbery by 20%, and aggravated assault by 15% compared to 2022. The increase in use-of-force incidents in 2023 is consistent with the rise in criminal offenses.



Note: There may be an overlap where an incident includes pointing a weapon and another type of force. In CY23, 606 incidents included only the pointing of a weapon. Due to legislative changes, data from 2022 cannot be directly compared to that of previous years.

FREQUENCY OF OCCURRENCE

Month

January	163
February	144
March	159
April	140
May	156
June	146
July	127
August	136
September	135
October	127
November	123
December	166

Day of Week

Sunday	202
Monday	231
Tuesday	294
Wednesday	320
Thursday	227
Friday	229
Saturday	219

Time of Day

12:00 AM - 3:59 AM	267
4:00 AM - 7:59 AM	112
8:00 AM - 11:59 AM	193
12:00 PM - 3:59 PM	350
4:00 PM - 7:59 PM	444
8:00 PM - 11:59 PM	356

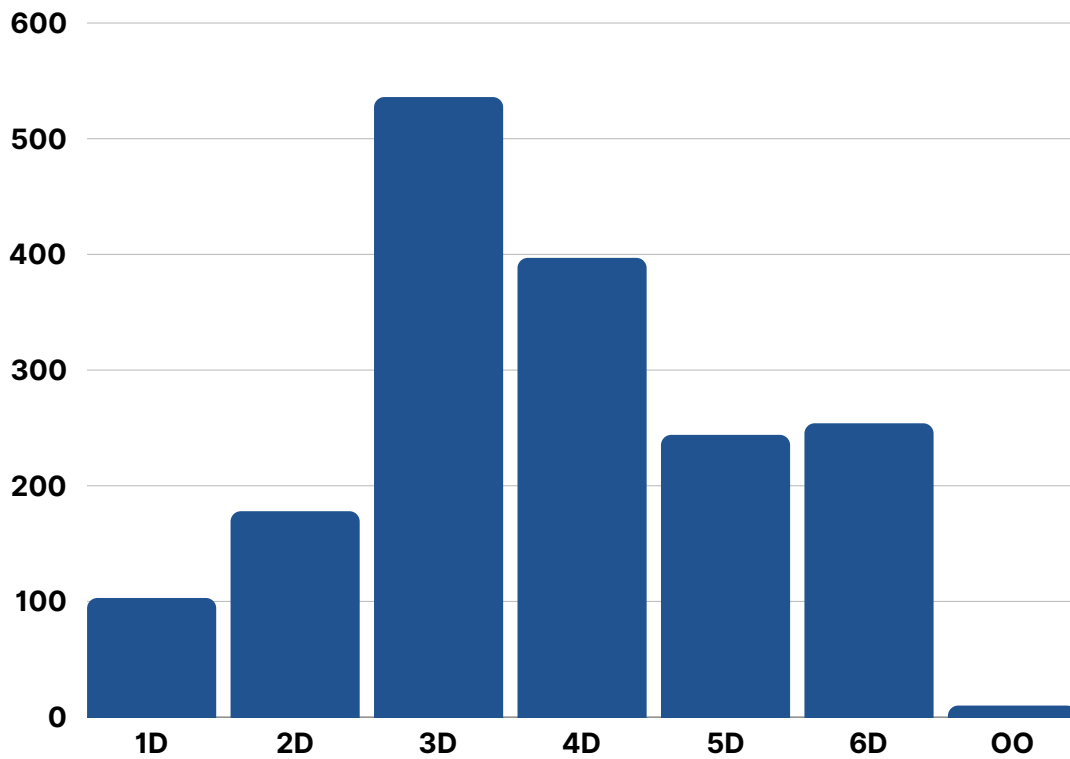
In 2023, December and January reported the highest number of incidents in which force was used in response to resistance, with December making up 10% of all use-of-force incidents and January at 9%. November, October, and July reported the fewest incidents, each making up 7% of all use-of-force incidents. The remaining months had an average of 59 incidents per month.

The data shows that in 2023, incidents involving force in response to resistance occurred consistently throughout most days of the week, with Wednesdays reporting the most incidents, 19%, and Sundays reporting the fewest incidents, 12%.

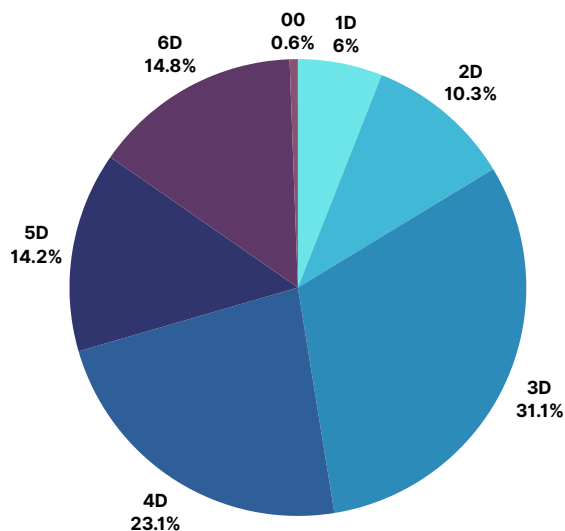
There is a variable trend in that the rate of incidents of force occurrence steadily increased through the morning and mid-afternoon hours (8:00 AM – 3:59 PM, 32%), peaking in the late afternoon to late evening (4:00 PM and 11:59 PM, 46%), and then declined in the early morning hours (12:00 AM – 7:59 AM, 22%). This trend is similar to calls for service volume throughout the day.

DISTRICT OF OCCURRENCE

In 2023, use-of-force incidents in response to resistance reported in Silver Spring (3D) and Wheaton (4D) comprised more than half (54%) of the use-of-force incidents reported is consistent with the Department's overall calls for service and total arrests.

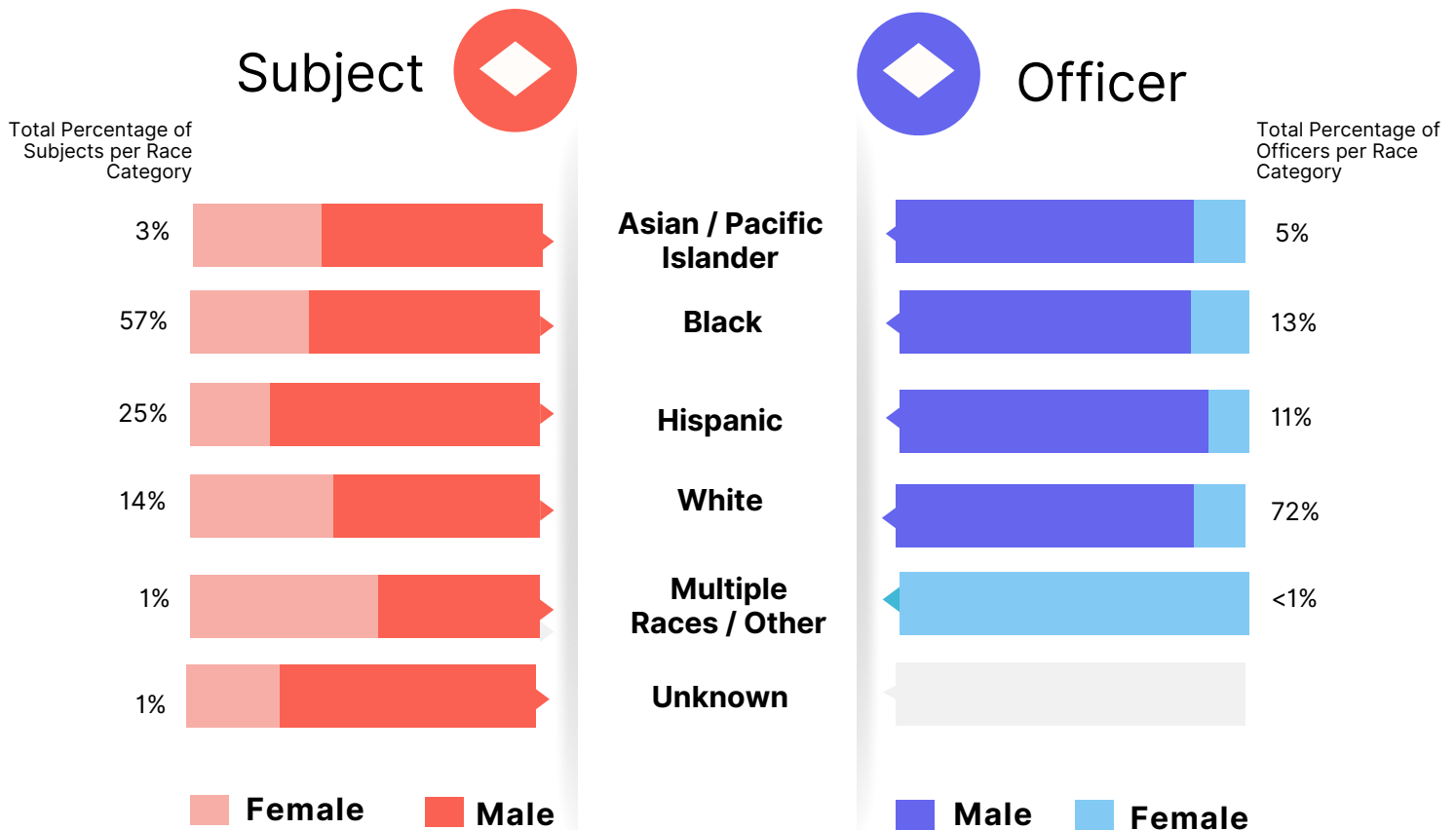


**Note: District 'OO' refers to reported incidents outside of Montgomery County, Maryland. The use-of-force incidents summarized in this report are based on the location (i.e., district) where force in response to resistance was used, not necessarily the district that the officers are assigned to or where the event may have originated.*



DEMOGRAPHICS OF SUBJECTS AND OFFICERS

RACE/ETHNICITY DEMOGRAPHIC CHART



**Note: Race categories were standardized in CY22 to reflect the terms: White, Black, Hispanic, Asian-Pacific Islander (API), and Native American. Categories were previously listed as Caucasian, African American, Latino, Asian, or American Indian in CY21. It should be noted that these categories are not exhaustive and do not capture the diversity within and among different racial and ethnic groups. Some individuals may not identify with any of these or may identify with multiple categories.*

In 2023, the categories of Asian-Pacific Islander (API), Black, Hispanic, White, and Multiple Race/Other subjects remained statistically consistent with the category breakdown in 2022. Fourteen percent of the subjects involved in encounters that resulted in some force in response to resistance were White, 57% were Black, 25% were Hispanic, and 3% were Asian or Pacific Islander.

Of the use-of-force incidents, 26% of the subjects were female, and 74% were male.

There were 4,291 officers involved in the 1,722 use-of-force incidents. During most calls for service, a primary officer is dispatched, and at least one additional officer responds as a backup unit. Research indicates that a “show-of-force” (more officers present) minimizes the need to use force.

De-escalation training encourages both the slowing down of an incident and the utilization of additional resources, such as officers being on the scene.

Consequently, in most circumstances when force is used in response to resistance, multiple officers may be involved in one incident.

While less force may be applied per officer, each officer must document their actions and their justification. Officer data includes all 4,291 officers involved in the 1,722 use-of-force incidents. Subject data includes all 1,722 subjects involved.

Of the use-of-force incidents, 15% of the officers involved were female, and 85% were male.

In 2023, 72% of the officers involved in encounters with subjects that resulted in some force being used in response to resistance were White, 13% were Black, 11% were Hispanic, 5% were Asian or Pacific Islander, and three officers identified as "Other." An officer's demographics can be captured more than once based on the total incidents in which they were involved. This information remains consistent with the demographics of the Department's sworn personnel complement.

The MCPD shares demographic/unit/statistical data when appropriate. However, any representation of information that would likely reveal the identity of an officer (i.e., be reasonably inferred by either direct or indirect means) is prohibited. For example, if there is only one female Officer in a unit, identifying the individual as female would indirectly identify the Officer. The MCPD will withhold specific data to avoid the unintended identification of any officers involved.

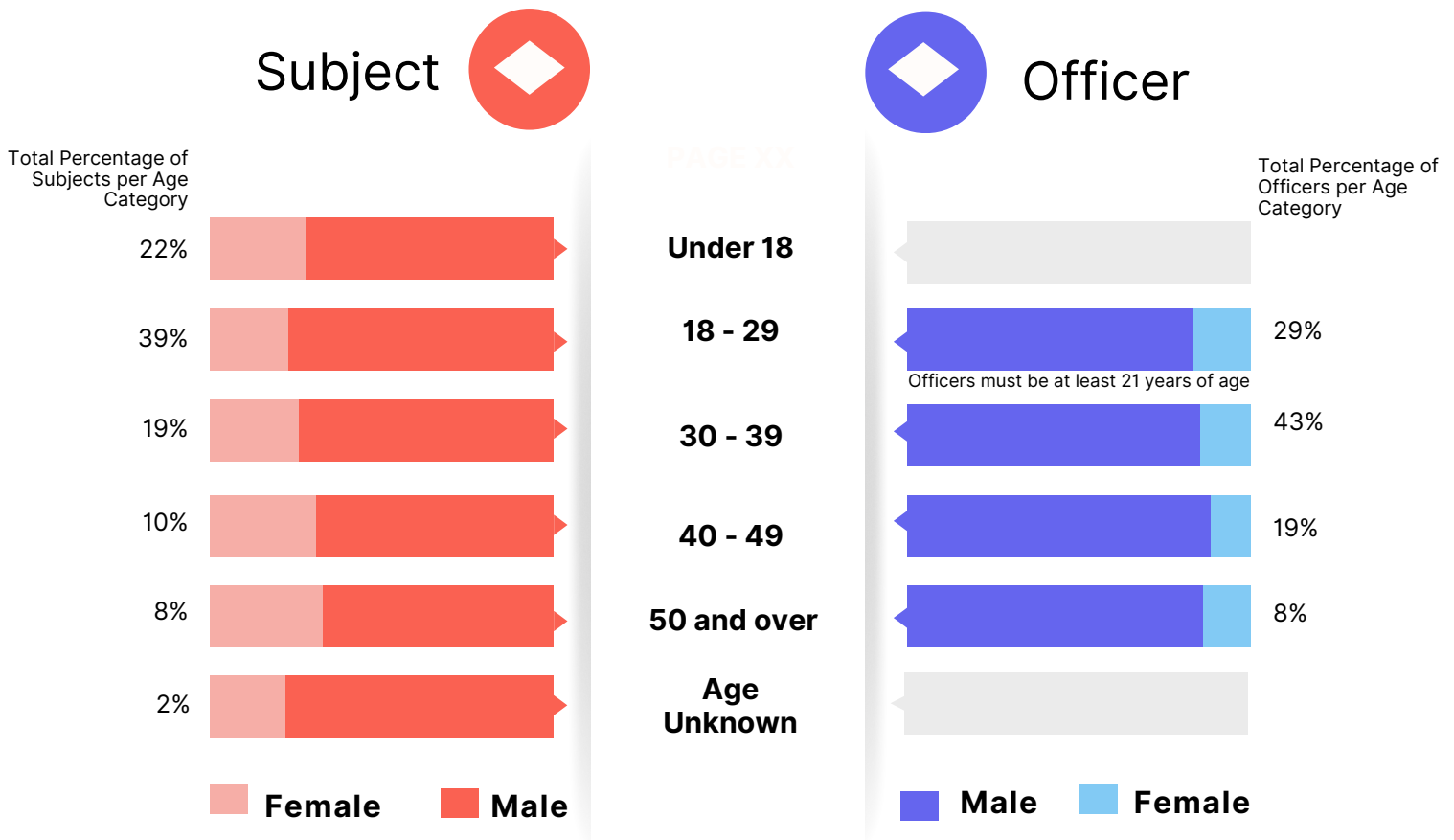
Demographics of sworn personnel complement, effective December 2023

Race	Female	Male	Total
Asian-Pacific Islander	8	44	52
Black	37	95	132
Hispanic	23	84	107
White	165	661	826
Multiple Races / Other	1	2	3
Total	234	886	1,120



DEMOGRAPHICS OF SUBJECTS AND OFFICERS

AGE DEMOGRAPHIC CHART



For reporting purposes, all persons (including transgender) are documented as the gender they were assigned at birth, as opposed to the gender to which they currently identify

In 2023, there were 1,682 subjects with a known age and 40 whose specific age was unknown. A review of these incidents indicates the most common scenario is an officer pointing their weapon at a carload of subjects inside a stolen vehicle, and the occupant(s) flee the scene unidentified.

Use-of-force data indicated that 22% of the 1,682 subjects were under 18 years old, a 30% increase from 17% in 2022.

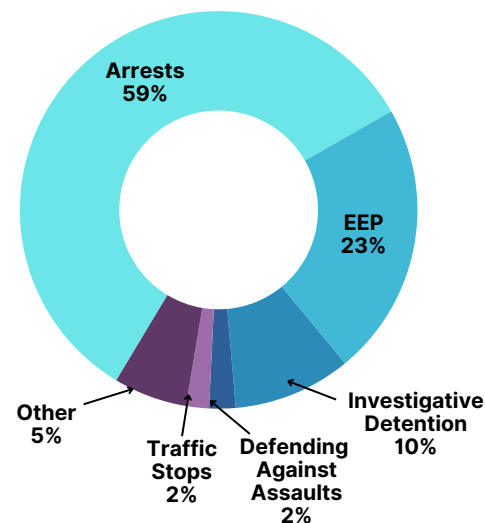
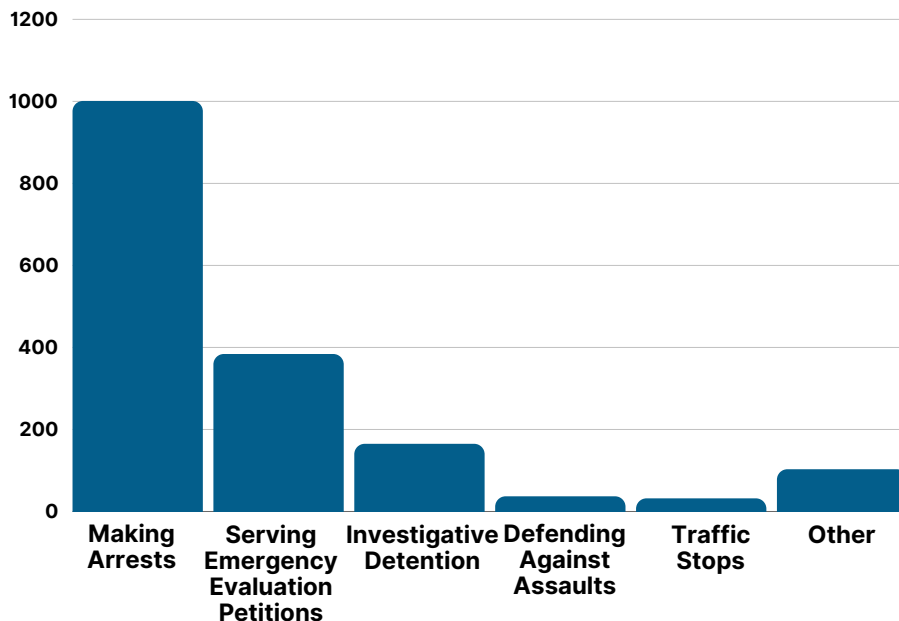
Subjects ages 18-39 represented 59% of the total use-of-force incidents, while subjects in the 40 and older age group accounted for 19%. The average age of the subjects across all age groups for 2023 was 29.

In 2023, 29% of officers were aged 21 to 29, 43% were aged 30 to 39, 19% were 40 to 49, and 8% were 50 or above.

An officer's demographics can be captured more than once based on the total incidents in which they were involved. An officer's age may also be captured in two different age groups based on the officer's date of birth and the date of the incident.

ACTIVITY WHEN FORCE WAS USED

In 2023, making or attempting an arrest, serving an emergency evaluation petition, and defending against assault accounted for 84% of the activities where officers needed to employ force in response to resistance, compared with 76% in 2022.



While the following activity codes are listed as options on the Use of Force Report, their usage was limited. They are combined into "Other," as seen above demonstrations, search warrant service, transporting, tactical or special event operations, and other, including assisting a partner agency, such as Fire-Rescue or Hospital Security.

Regarding a correlation to "mental health concerns," there are two distinct types requiring clarification. In one, officers respond to a non-mental health service call, a dispute, for example, in which the primary concern has nothing to do with mental health, but the mental health of the involved subject becomes a contributing factor while the call is being handled. When this occurs, the officer can select "possible mental health issue," alcohol, or drugs as an impairment factor in the use-of-force report; this information is applicable to the data listed on page 20.

The second type is when officers respond to a call for service and the primary concern is an individual's mental health. These incidents typically involve an Emergency Evaluation Petition (EEP) for an individual suffering from a mental health disorder. When an individual demonstrates they are a current danger to themselves or others, and is involuntarily evaluated at a medical facility.

While the total number of Emergency Evaluation Petitions (EEPs) being served indicates a 13% decrease (CY22: 2417, CY23: 2113), the number of use-of-force reports generated while serving an EEP reflects an 11% increase (CY22: 347, CY23: 384).

While those in a mental health crisis are encouraged to seek assistance, many deny needing any, and often, others request it on their behalf. The contentious nature of an EEP call and the requirement to place an unwilling subject into handcuffs during transport to a medical facility generated many of our use-of-force reports. The Department Policy can be found at <https://www.montgomerycountymd.gov/pol>.

In 2023, 22% of all uses of force involved an EEP, and 17% of EEP calls generated a Use-of-Force Report, compared to 23% and 14%, respectively, in 2022.

TRAFFIC STOPS

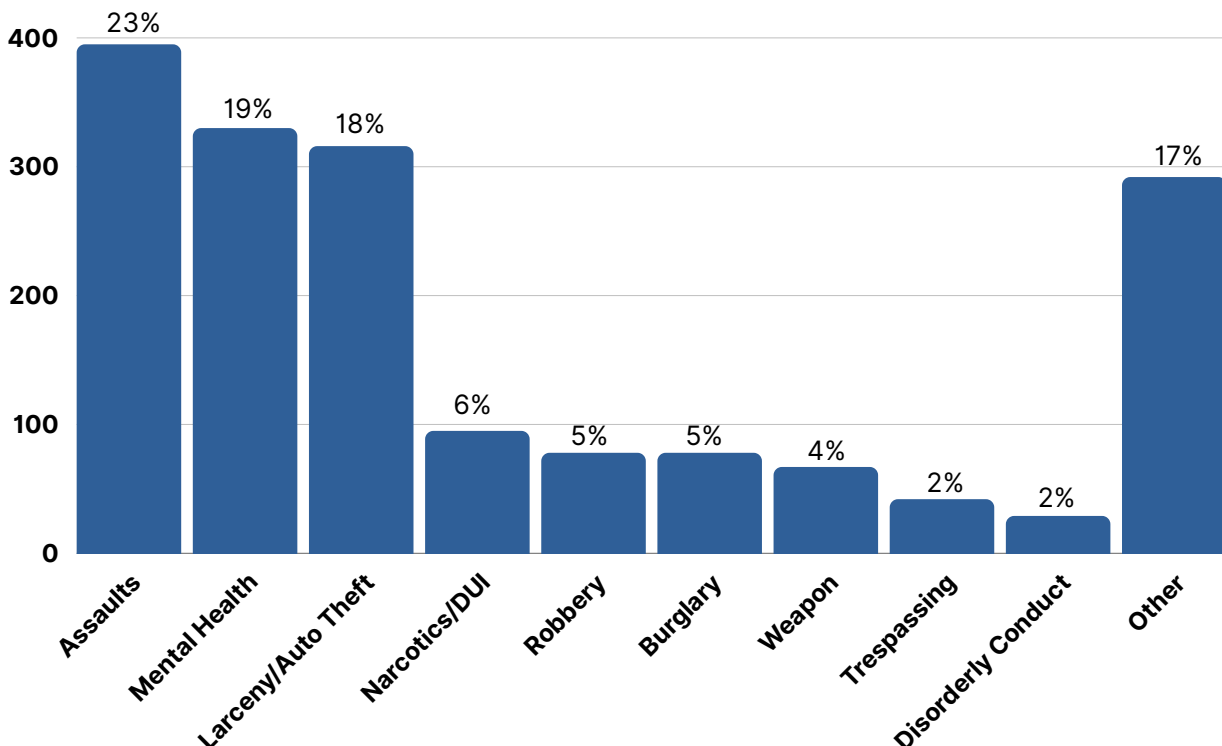
In 2023, MCPD personnel conducted 40,123 traffic stops. However, only thirty-two use-of-force incidents stemmed from traffic stops (0.08%). A review of these incidents indicates the most common scenario is an officer pointing their weapon at the driver of a suspected stolen vehicle, or when a vehicle occupant moves in a manner consistent with collecting a weapon.

CY2023 Total Traffic Stops	40,123
CY2023 Use of Force Events that Stemmed from Traffic Stops	32

OFFENSE TYPES

Offense Types capture the type of call-for-service the officer was handling when the use-of-force occurred. Assaults, Emergency Evaluation Petition (EEP) calls, larceny, and narcotic/DUI offenses accounted for 66% (1,130 out of 1,722) of use-of-force responses to resistance incidents.

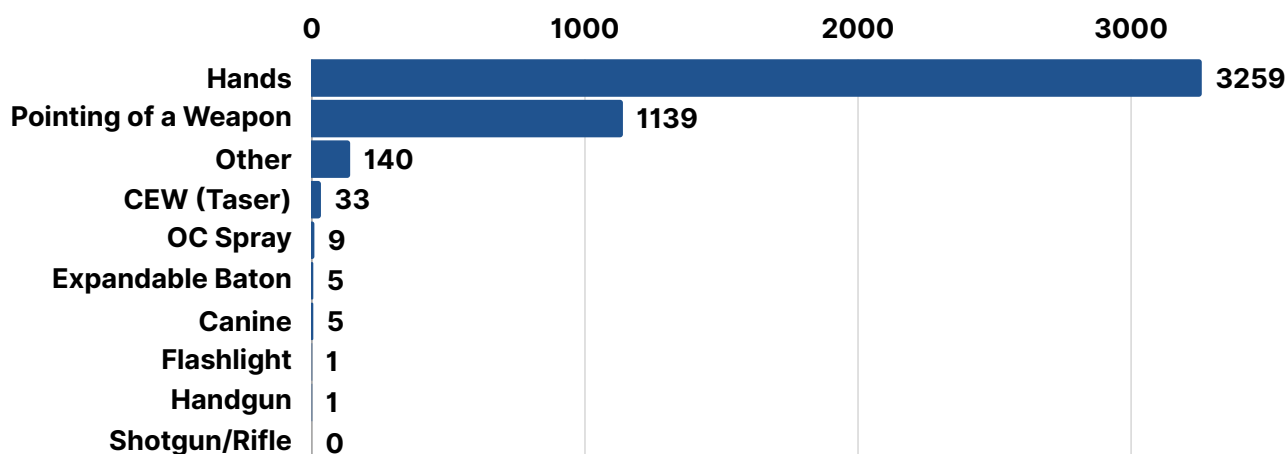
Another five percent were related to robbery offenses, five percent to burglary offenses, four percent to weapons offenses, two percent to trespassing, and two percent to disorderly conduct. The remaining 17% included all other incidents involving arson, homicide, police information, vandalism, and other minor offenses.



TYPES OF FORCE USED BY OFFICERS

The following chart shows the breakdown of the leading types of force used by officers in 2023. Of the 1,722 reported use-of-force incidents, 606 only involved an officer pointing their weapon. The remaining 1,116 events involved one or multiple reportable factors and may include additional weapon pointings.

The chart below documents the 4,592 types of force used by 4,291 officers during the 1,722 use-of-force incidents in 2023.



Note: Conducted Energy Weapon (CEW) was formerly called Electronic Control Weapon (ECW) or Taser, as seen in previous reports.

One officer may use multiple types of force, so the total types of force used (4,592) do not match the total number of officers (4,291). For example, an armed robbery suspect held at gunpoint (not shot), then tased and later escorted into the jail would count as three of the 4,592 uses of force (handgun/point; taser/discharge; hands/escort).

When force was used, 71% of the time, officers used their hands to respond to resistance (3,259 out of 4,592). When hands were used (3,259 times), 83% of the time, hands were used as a control technique, 32% as an escort, and only 2% of the time to deliver strikes.

When force was used, officers pointed a weapon 25% of the time (1,139 out of 4,592). When a weapon was pointed (1,139 times), 79% of the time, it was a handgun (897); thirteen percent of the time, it was a Taser (144); seven percent of the time, it was a Rifle/Shotgun (84); and one percent of the time, it was OC spray (14).

There were one handgun and zero long gun (shotgun/rifle) discharges; however, the CEW / Taser was discharged 33 times, and OC sprayed nine times. While the following force types are listed as options on the Use of Force Report, their usage was limited (3%). They are combined into "other," as seen above—feet, vehicle, and other, including knees.

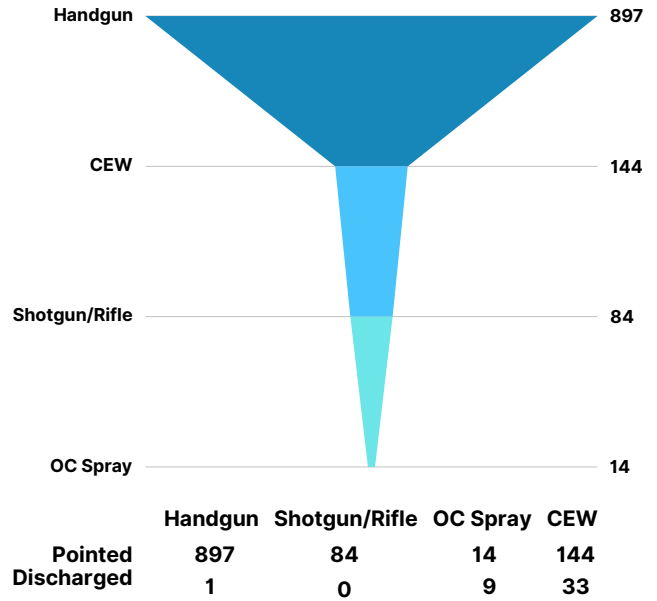
POINTING OF A WEAPON

Although officers pointed their handguns 897 times in 2023, only one handgun was discharged. This is a 4% decrease from the 939 times a handgun was pointed in 2022.

Officers pointed their long guns (shotgun/rifle) 84 times in 2023 and did not discharge any. In 2022, there were zero discharges reported for all three weapons.

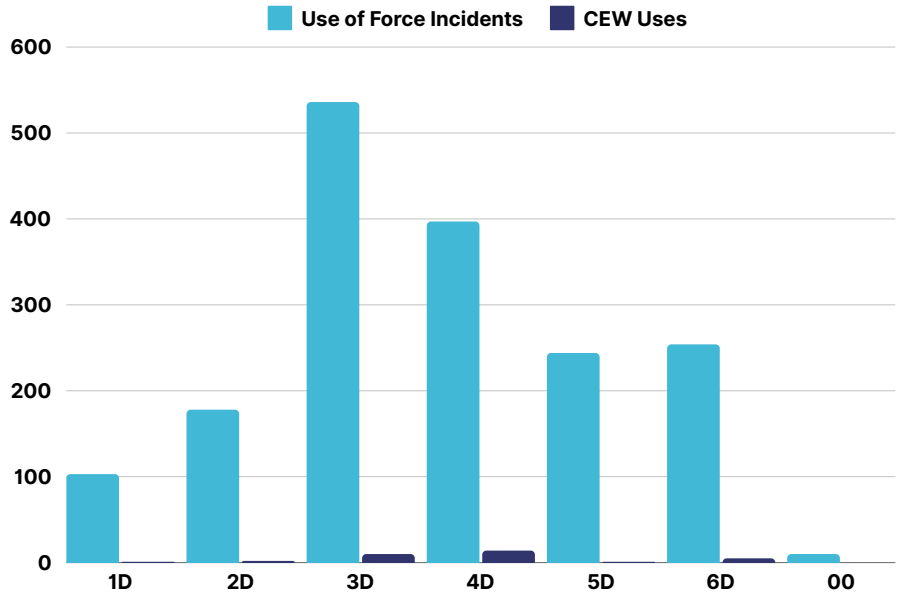
Officers pointed their oleoresin capsicum (OC) spray 14 times in 2023, resulting in nine discharges (64% deploy rate). In 2022, OC spray was pointed 18 times, with nine discharges (50% deploy rate).

Officers pointed their Conducted Energy Weapons (CEW)/Taser 144 times in 2023, resulting in 33 discharges (23% deploy rate). In 2022, CEWs were pointed 100 times with 25 discharges (25% deploy rate).



CONDUCTED ENERGY WEAPON (CEW)

Effective July 1, 2020, the Department began to expand the issuance of Conducted Energy Weapons (CEWs); they are now issued to all sworn officers who work in an assignment that routinely involves public contact. The Department now has 462 CEW-qualified officers, a 40% increase from last year (328). These officers have completed extensive training and certification before being issued a CEW. This training requires officers to attend 40 hours of Crisis Intervention Training (CIT). After successful completion, officers are also required to complete annual recertification training to be authorized to continue to carry a CEW.



Note: District designation '00' represents incidents outside Montgomery County.

In 2023, a CEW was pointed 144 times and deployed 33 times. The chart above shows CEW use by district compared to the total number of reported use-of-force (UoF) incidents in each district in 2023.

The data shows that a CEW was deployed 33 times (33 discharges in 27 incidents). Historically, Silver Spring (3D) and Wheaton (4D) are the districts where officers traditionally respond to a large number of calls for service and involve offenses that often result in arrests where some type of force in response to resistance is necessary, including more frequent use of protective instruments such as CEWs. The data for 2023 is consistent in that 73% (24 out of 33 deployments) occurred in Wheaton (4D), and Silver Spring (3D). In 2023, CEW deployments occurred the most frequently in Wheaton (4D).

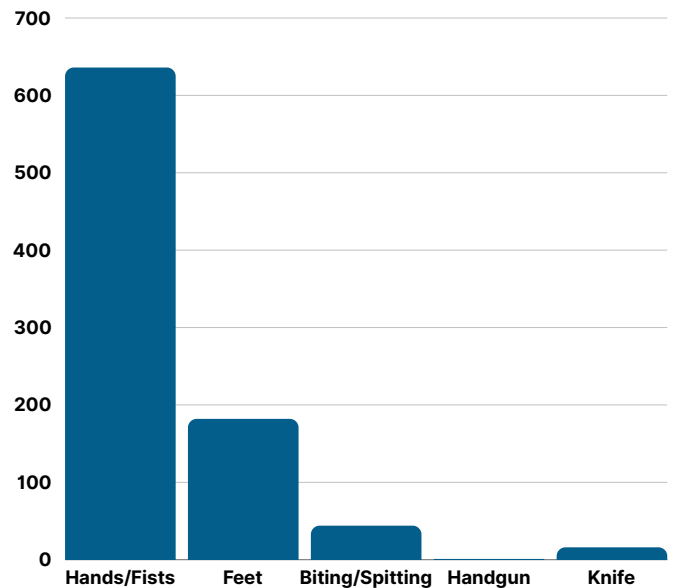
Note: As of February 2023, the department purchased 400 newer model CEWs to replace older model CEWs.

TYPE OF FORCE USED AGAINST OFFICERS

By contrast, types of force used by a subject against an officer were recorded 1,722 times. As is the case with the types of force used by officers, hands were also the most common type of force used by subjects against officers in 2023, which accounted for 37% of incidents. Subjects used feet 11% of the time, biting/spitting 3% of the time, and knives 1% of the time.

Some additional types of force used by subjects against officers included fleeing (82), passive resistance (31), active resistance (55), legs/kicking (29), vehicles (18), body weight (16), and headbutting (3).

In 2023, there was one incident where a subject used a handgun to shoot at officers.

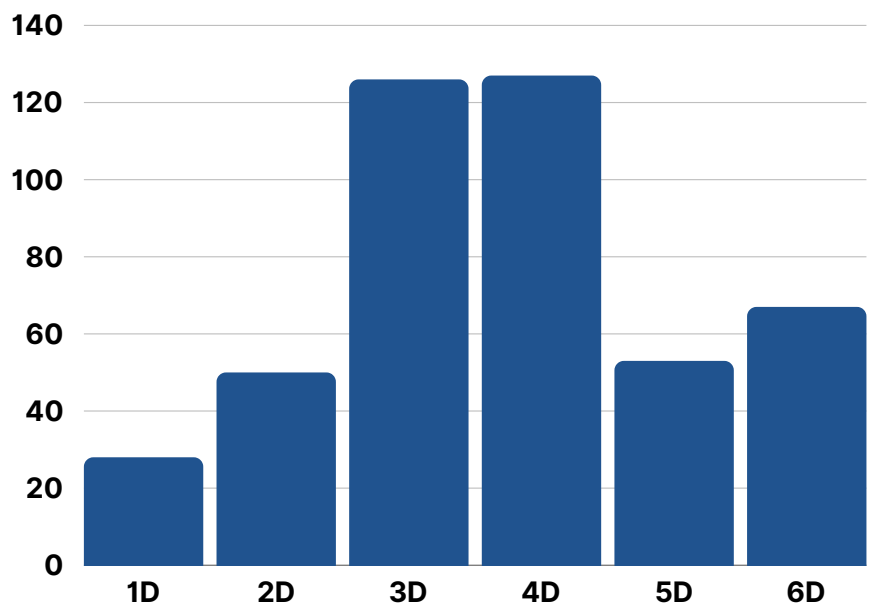


OFFICERS ASSAULTED

For state and federal reporting requirements, the Department records information when an officer reports being assaulted or ambushed. In 2023, 451 officers were assaulted, compared to 381 officers assaulted or ambushed in 2022 (18% increase). Of the 451 officers who were assaulted, 157 reported 186 types of injuries, the vast majority of injuries being a direct result of the assault. The number of officer injury types is higher than that of injured officers due to multiple injuries reported by a single officer (for example bruise/soreness and broken bone(s), or laceration/abrasion)

For context, 451 (of 4,291) officers reported being assaulted during 304 (of 1,722) use-of-force incidents. The number of officers assaulted is higher than the number of involved incidents due to more than one officer being assaulted during a single incident.

The data indicates that in 2023, most assaults against officers (56%) occurred during activities by officers in Silver Spring (3D) and Wheaton (4D). These assaults occurred while officers were responding to calls involving a variety of offenses, including robberies, burglaries, domestic violence-related events, assaults, narcotics-related offenses, and disorderly conduct.



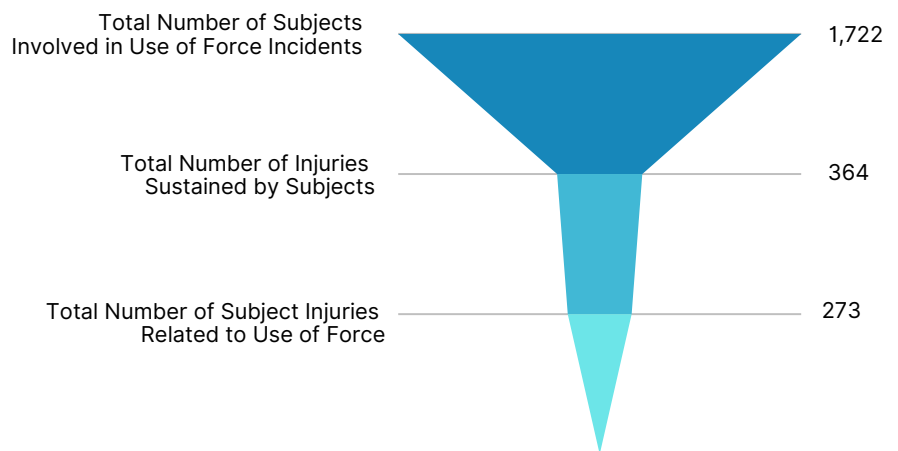
INJURIES TO OFFICERS AND SUBJECTS

In 2023, 157 of 4,291 officers involved in use-of-force incidents reported 186 types of injuries while handling the 1,722 use-of-force incidents. The types of officer injuries included lacerations/abrasions (89), bruises/soreness (67), bite injuries (eight), and "other" (21), which include blood exposure, exposure to bodily fluids, sprained ankle, being cut, muscle strain, and concussion. There were instances where one officer suffered multiple types of injury during a single event and/or received multiple types of medical treatment.

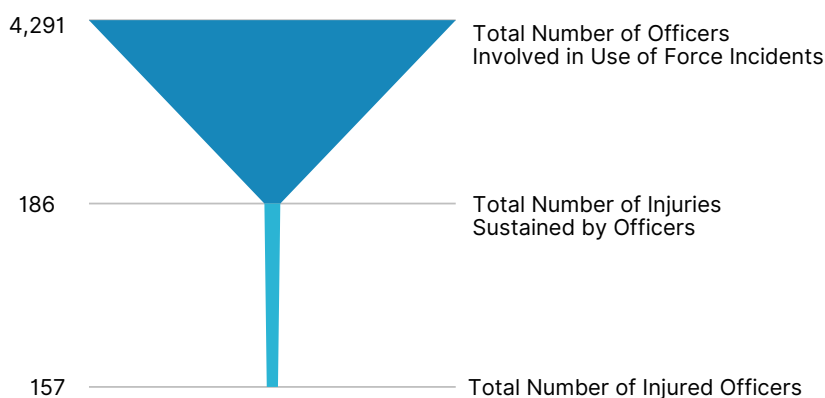
During the 1,722 use-of-force events, a total of 364 subjects in custody reported or claimed injury. However, only 273 of the 364 subjects were injured as a direct result of the use-of-force incident; 91 subjects suffered injuries unrelated to an officer's use of force. This could include pre-existing (before police contact) or self-inflicted by the subject.

An example would be an individual who cut their hand punching a glass door before police arrival and then resisted while being taken into custody for an Emergency Evaluation Petition (EEP). Though their hand injury was unrelated to the encounter with officers, the subject would be transported to a Hospital for an EEP. They would subsequently receive medical treatment from Hospital staff since they are already at a Hospital. In this example, the subject is counted in the 364 section of the chart below (Number of Subjects Injured), not in the 273 section, and is also represented in the Subject Medical Treatment chart on page 19.

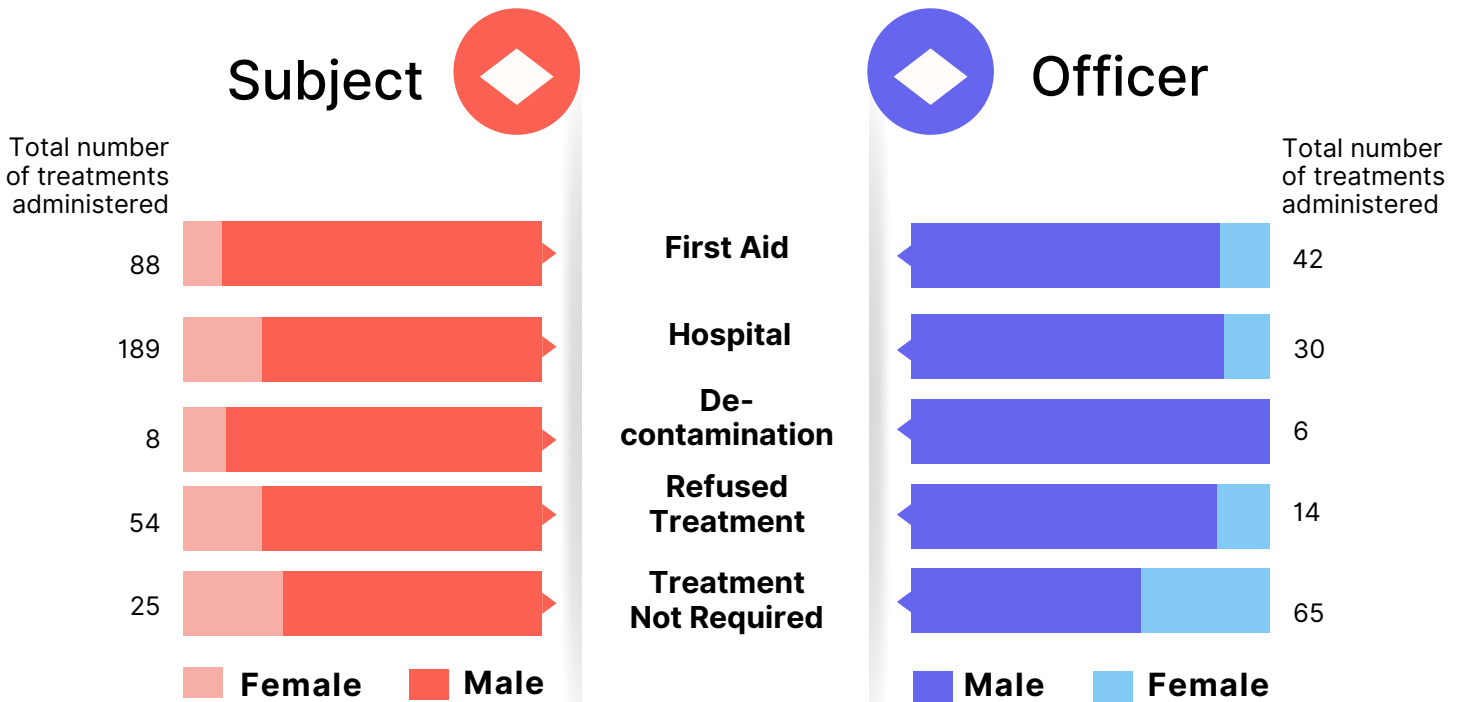
Number of Subjects Injured



Number of Officers Injured



MEDICAL TREATMENT CHART



Note: Decontamination typically refers to procedures (e.g., flushing with water) to mitigate the effects of exposure to OC Spray being deployed by officers as a less lethal force option which can cause irritation to the eyes, nose, and throat of both officers and subjects depending on the circumstances of the incident.

The above chart summarizes the types of medical treatment administered to subjects and officers related to injuries recorded via a Use of Force Report in 2023. There could be instances where multiple medical treatments were provided to one individual, potentially driving the total number of treatments higher than the number of injured people.

In 2023, basic first aid medical treatment was provided to 24% of injured subjects (88 of the 364); 189 subjects were treated at a hospital, eight received decontamination treatment, 54 refused medical treatment, and 25 subjects reported an injury that did not require treatment.

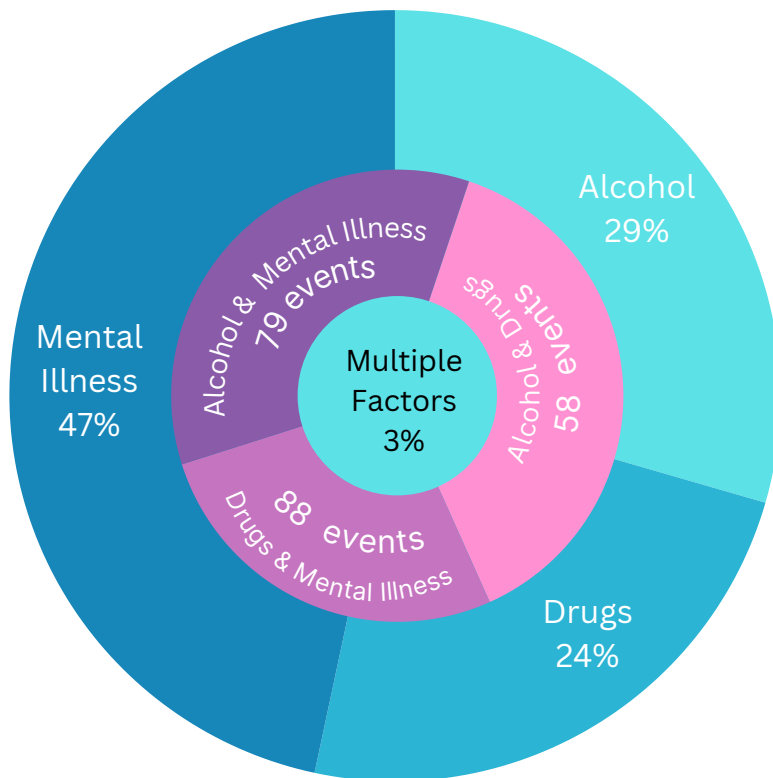
The most severe subject injuries were not caused by police, including pre-existing injuries and broken bones after a car crash. Sixty-five subjects treated at the hospital were transported there for an EEP. They received medical treatment only because they were already at a hospital, not because their injuries specifically required hospital treatment.

Although 364 subjects claimed an injury, only 273 of the injuries were directly related to the police use of force; the other 91 non-related injuries included pre-existing and self-inflicted injuries.

In 2023, 78 forms of medical treatment (first aid, hospitalization, or decontamination) were administered to the 157 injured officers. Treatment was either refused or not required for the remaining 79 officers.

Of the 78 administered treatments, Basic First Aid medical treatment was provided 54% of the time (42 of the 78 treatments); hospitalization was provided 38% of the time (30 of the 78 treatments); and decontamination was provided 8% of the time (six of the 78 treatments). Of the remaining 79 injured officers, medical care was refused 18% of the time (14 of the 79 cases), and treatment was not required in 82% (65 of the 79 cases).

CONTRIBUTING FACTORS



In 2023, of the 1,722 use-of-force incidents, 53% (909) involved one or more of the three tracked contributing factors: alcohol, drugs, or mental health concerns. A total of 1,106 contributing factors were listed in the 909 events. These multi-level contributing factors drove the total number higher than the number of events. For example, a subject with a mental health concern was also intoxicated.

These contributing factors often result in officers needing to employ some force in response to resistance to safely control the situation due to an increased likelihood of non-compliance on the part of the subject(s) involved.

Alcohol was listed as a contributing factor in 326 of the 909 events; drugs were listed as a contributing factor in 264 of the 909 events, and mental illness was listed as a contributing factor in 516 of the 909 events. There were 58 instances where both alcohol and drugs were a factor and 79 where alcohol and mental illness both played a factor. Since multiple factors may have been involved in any encounter, and each factor is counted separately, the total contributing factors (1,106) are higher than the total events (909).

Of the total use-of-force incidents (1,722), alcohol was a factor 19% of the time; drugs were a factor 15% of the time, and mental illness was a factor 30%. At least one of the three factors was present 53% of the time.

When a contributing factor was present (1,106), alcohol was present 29% of the time, drugs were present 24%, and mental illness was present 47% of the time.

The Police Department places significant emphasis via policy and training on taking extra precautions and care when dealing with individuals experiencing a mental health crisis. Often, the Mobile Crisis Team (MCOT) is called to assist. In these situations, as well as when a subject may be under the influence of alcohol or drugs, there is an increased likelihood that officers may be confronted with increased resistance due to the subject's diminished mental state and impairment.

Officers often transport these individuals to a medical treatment facility as part of the emergency evaluation petition (EEP) process. Once there, a medical or mental health professional can administer proper assessment and treatment.

USE OF FORCE-RELATED ALLEGATIONS

In 2023, the MCPD Internal Affairs Division (IAD) reviewed 14 use-of-force-related cases involving 18 allegations from external and internal sources, compared to 11 cases and 27 allegations received in 2022. The IAD ensures that all allegations of excessive force, regardless of their source, are thoroughly reviewed and investigated. The Police Chief ensures corrective action is taken for any improper conduct.

Information regarding these investigations is summarized in IAD Annual Reports published on the Department's website. The IAD also shares pertinent data with the public as part of the County's dataMontgomery program, an integral element of the Department's community policing philosophy and ongoing commitment to maintaining a culture of transparency. Summary information concerning allegations/complaints brought to the attention of IAD from external or internal sources can be reviewed at <https://data.montgomerycountymd.gov/Public-Safety/Internal-Affairs-Allegations/usip-62e2/dta>.

IN-CUSTODY DEATH AND DEADLY FORCE INCIDENTS

An in-custody death refers to the death of an individual while in the custody of law enforcement officers when the use of deadly force does not directly cause the death.

Death may occur from contributing circumstances, such as medical problems, that are identified or developed while a person is in police custody. No in-custody deaths occurred in 2023.

Deadly force is defined as any use of force that is intended to or likely to cause a substantial risk of death or serious physical injury. Officers may use deadly force to defend themselves or another person from what they reasonably believe is an imminent threat of death or serious physical injury. An officer-involved death is defined as an individual's death or potential death resulting from an action or omission by a law enforcement officer. In contrast, the officer is on duty or while off-duty but performing activities within the scope of their law enforcement duties.

The Maryland General Assembly enacted State Bill (SB) 600, the Maryland Police Accountability Act of 2021, creating the Independent Investigations Division (IID) within the Office of the Attorney General (OAG). Beginning October 1, 2021, the IID began investigating all alleged or potential officer-involved deaths of civilians. The IID and the Department of Maryland State Police conduct investigations. For accountability and transparency, these completed investigations are then reviewed by the Howard County State's Attorney's Office.

One deadly force-related incident occurred in 2023 involving the Montgomery County Police.

July 22, 2023: Officers responded to a call for service involving four victims whom a lone subject had stabbed. Based on the description, officers located a suspect who was still armed with a large butcher knife. The suspect did not comply with the officer's commands to drop his knife and lunged towards the officer, resulting in the officer shooting the suspect. Officers immediately rendered first aid to the suspect. However, he succumbed to his injuries.

SUMMARY

The Department continues to provide use-of-force training at all levels, including recruit, in-service, and supervisory, emphasizing current case law, policy requirements, and best practices consistent with federal, state, and national standards and guidelines. The use of any force by MCPD officers in response to resistance continues to constitute a very small percentage of incidents compared to the overall calls for service that officers respond to daily and contacts they have during traffic stops and other activities. The need to use force, whether deadly or non-deadly, is one of the most demanding and critical decisions a law enforcement officer must make. The Department respects every human life's sanctity, dignity, and value, and deadly force is only employed in extreme circumstances.

Public perceptions of the police department are largely based on individual experiences and can certainly impact the legitimacy of police actions, especially those involving police use of force. The misuse of force violates the rights of the person against whom it is used and violates the trust that the public places in its police department. The public expects and deserves a culture of transparency, accountability, fairness, trust, and respect, and every Department member is held accountable for their actions. In today's environment of heightened public expectations and scrutiny of police department operations, it is important to emphasize that regardless of how well the Department believes it is fulfilling its mission, the ultimate measure of success is how well the Department can earn and sustain the trust and respect of the residents of Montgomery County, Maryland.

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