



2023 USE OF FORCE ANALYSIS

Appleton Police Department



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Overview

It is the policy of the Appleton Police Department that officers shall use only the amount of force that is reasonably necessary to achieve a lawful objective. The force used shall be in accordance with the Constitution of the United States and the Constitution of the State of Wisconsin.

The Department's Use of Force Policy provides sworn personnel with specific guidelines to effect the detention, seizure, or arrest, of a person. The policy also establishes guidelines for using force in self-defense or defense of another, to prevent or interceded in an attempt at self-injury, in defense of property, and in fulfilling the community caretaker function. The guidelines on proper use of force established in the policy will ensure due process for persons as well as provide protection from liability for officers and the Department.

The Appleton Police Department Use of Force Policy is based on the Defense and Arrest Tactics (DAAT) program of the State of Wisconsin as developed by the Training and Standards Board (Department of Justice-Bureau of Training and Standards).

The Appleton Police Department prides itself in transparency as it relates to calls for service, citizen complaints, and use of force documentation. Detailed use of force information tends to be difficult to find nationwide. We feel this information is important to maintain trust within our community and provide our trainers with "real world" statistics to ensure our skill and scenario based trainings meet the needs of our officers.

General Guidelines

The Appleton Police Department Use of Force Policy has established the following guidelines:

1. Officers shall use only the amount of force that is objectively reasonable to control a situation, affect a seizure, or control a person. The force decision shall be based on the DAAT system.
2. Officers shall not continue to use force beyond that which is objectively reasonable to maintain control once the subject has stopped resisting and control of the subject has been established.
3. All persons arrested will be handcuffed, searched and then transported in a police vehicle, unless exceptional circumstances exist.
4. An officer shall not brandish, display, or threaten the use of any control devices, impact weapons, kinetic energy impact weapons, canine, or firearm unless he or she can reasonably conclude its use may become justified and anticipated.

Intervention Options Requiring Documentation

When an officer uses any of the following Intervention Options against a person, they shall contact an on-duty supervisor as soon as practical after the use of force. The officer shall then complete a written report documenting the incident. Intervention Options necessitating this response include any of the following:

- Electronic Control Devices
- OC Spray
- Passive Countermeasures
- Active Countermeasures
- Incapacitating Techniques
- Impact Weapons
- Kinetic Energy Impact Weapons
- Canine Bites
- Firearms/Deadly Force

Appleton Police Department policy states an on-duty operations supervisor should respond to the location where the use of force incident occurred anytime a circumstance listed above has been met. That supervisor is then responsible for the initial gathering and evaluating of information related to the use of force. The supervisor must then complete a Use of Force Supervisor Summary form and initially determine if the use of force was within policy guidelines. Upon completion, the form is reviewed along with available video of the incident and available officer reports by the DAAT Coordinator, Firearms Coordinator, and Training Coordinator to validate the initial findings. As needed, further review is conducted by Patrol Captains and the Assistant Chief.

General Assaults and Battery to Officer Arrests

The vast majority of people who interacted with Appleton Police Officers were generally compliant. However, there were 87 individuals who presented an elevated risk to the officers because of physical non-compliance which required an intervention option. Contributing factors included intoxication, chemical impairment, high levels of aggression, and/or mental health crisis. In 17 instances, the level of non-compliant behavior escalated to assaultive against the officer.

General Assaults and Battery to Officer Arrests							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Subjects Involved	6	10	5	11	17	9.8	10.2

Table 01

Wisconsin State statute 940.203(2) provides the legal framework to the charge of battery to an officer. It states whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any law enforcement officer is guilty of a Class H felony.

The number of assaults on Appleton police officers began to rise dramatically in 2016. Between 2004 and 2015, the Appleton Police Department averaged 7.2 referrals to the district attorney's office for battery to an officer. That number nearly doubled to 12 referrals in 2016 and reached 18 referrals in 2017. Within those referrals were attempted disarming of the officers and one attempted murder of a police officer.

Between 2019 and 2022, the average nearly returned to pre-2016 levels. However, in 2023, the total assaults and battery to officer incidents charged out by the district attorney's office returned to a 5-year high of 17. Not included in these numbers are incidents where an officer was injured and charges were not filed. Also not included are the high volume of instances officers were verbally threatened by a subject. Most of the time these threats are not carried out with action, but the dangers are real, and all threats must be taken seriously.

De-Escalation and Reducing Uses of Force

Law enforcement is an inherently dangerous profession. In many incidents, a use of force is unavoidable. However, it is the responsibility of the officer to try and minimize the severity and pro-actively prevent as many uses of force as possible. This is achieved through proper analysis of perceptions, threats, and behaviors of subjects during each unique encounter. In addition, officer conditional factors such as stress can be relevant during a use of force incident.

According to Whitelock and Asken (2012), "Stress is a result of a perceived imbalance between the demands of the emergency situation and your ability to meet those demands where failure to do so has important consequences to you." Factors which can contribute to stress include the officer not being able to establish meaningful contact, little or no time to make a decision, risk posed to the officers or public, resource availability, degree of exigency or necessity to intervene. Furthermore, the situation can become increasingly dangerous to both the officer and suspect if the officer loses emotional control, misidentifies the threat cues, overreacts to the threat, has insecurities in their own physical and tactical skill sets, mission creep, uncertainty in policy and statute, and negative neurophysiological influences.

To help combat the dangers faced by officers, a strong understanding of self-control and de-escalation tactics are required. This is accomplished with a proficiency in psychological understanding, ability to communicate under stress, adaptivity, creative problem solving, and ongoing officer training. Furthermore, if verbal efforts fail each officer needs to be able to restrain the subject and control the incident by utilizing appropriate physical skill sets.

To be successful, a portion of the officer's training also needs to include early recognition of a person who has cognitive issues or is in mental health crisis. To meet these needs, Appleton Police Department promotes CIT training for patrol officers. The CIT (Crisis Intervention Team) was designed to improve law enforcement response to people experiencing mental health crisis. We have built a strong partnership with mental health provider agencies, individuals, and families affected by mental illness.

Use of Force Review Process

Policy outlines a specific review process any time an Appleton Police Officer utilizes an intervention option requiring use of force documentation. The process begins with the officer contacting an on-duty supervisor to report a use of force as soon as the situation is reasonably safe. The on-duty supervisor will then attempt to report to the location where the use of force took place to assess any situational factors which may have contributed to the incident.

After the on-duty supervisor has completed the initial assessment, an electronic entry is made into Axon Standards. That form is then forwarded to the use of force review team. The use of force review team consists of the DAAT Coordinator, Firearms Coordinator, Training Coordinator, the District Patrol Captains, and the Assistant Chief. The team reads each officer report and compares the narrative to collected evidence such as body camera footage. Once all the information is collected members of the team determine whether the use of force conformed to department policy. In 2023, all 87 incidents involving a use of force were determined to be within policy guidelines.

Each year, data collected from all use of force incidents are compiled by the Training Coordinator for training purposes and public release. Through careful study of a vast array officer situations and techniques, a selected group of “core competencies” have been identified. These core competencies are techniques used most frequently and therefore trained more often. Based on the 2023 data, no training deficiencies were detected. As needs change and evolve, so do the core competencies and in-service training.

2023 Use of Force Summary

During 2023, Officers from the Appleton Police Department used a level of force that met the reporting requirements during a total of 85 calls for service involving 87 total people. This was a significant increase from previous years. Data will show the increase was due in large part to a 26.4% increase in individuals actively resisting officers attempts to make an arrest.

As in previous years, passive countermeasures accounted for the majority of techniques used by officers to control a person while making an arrest. Officers utilized passive countermeasures on a total of 68 individuals. Appleton officers also used an ECD deployment to assist in detaining or arresting 17 individuals. There was one use of deadly force. These uses of force occurred during a variety of days, times, and locations. As a direct result of the uses of force there were 19 officers with injuries either visible or claimed. Two officers required medical treatment and were release shortly after. Further data and breakdowns are offered later in this analysis.

Appleton Police defensive tactics instructors are following best practices from The Police Executive Research Forum (PERF), the President’s Task Force on 21st Century Policing, and other experts in the field. The continued emphasis on de-escalation in training coupled with the expanding number of Crisis Intervention Team (CIT) officers has created a new normal. Officers in

the field are slowing things down, using effective dialogue, and creating the distance needed to work more safely. This is also reflected in the low number of injuries reported.

The Appleton Police Department prides itself in transparency as it relates to calls for service, citizen complaints, and use of force documentation. Training and documentation of incidents will continue to be a focus of senior command staff. By tracking these incidents, defensive tactics leaders can narrowly focus on training concerns and craft training to help upgrade skills that are being used frequently.

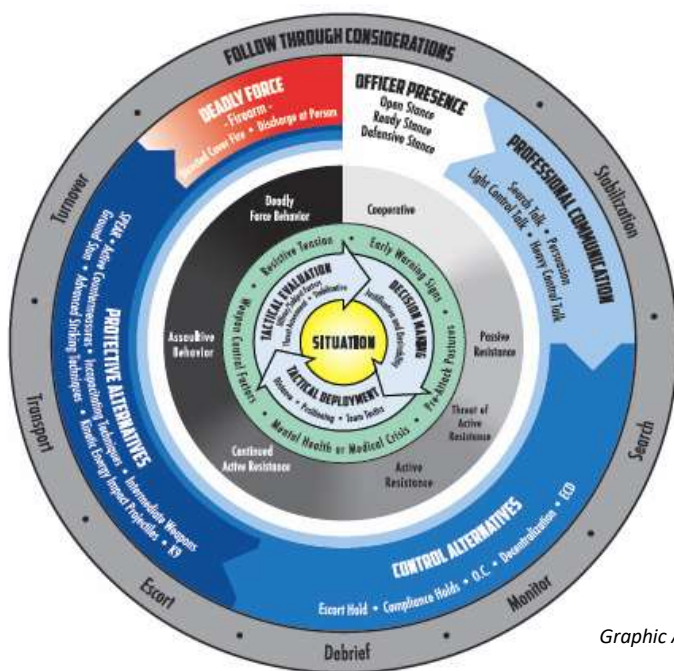
Situational Analysis

Department policy and Wisconsin Department of Justice DAAT training requires officers to “use only the force necessary that is objectively reasonable to gain control of a suspect.”

It is taught that the first effort at control should be at 100 percent speed and power. Research shows that if the first effort to control a resisting subject is not successful, risk of suspect and officer injury grows. As officers transition from a lower level of force to a higher level, it is because a suspect is actively resisting efforts to be controlled. The early evaluation of the suspect’s behavior is a key component that will be stressed in all training.

The Use of Force Wheel has helped officers visualize the dynamic and fluid nature of use of force confrontations. As you will note, the wheel allows for officers to analyze the suspect behaviors (grey) and counter with an appropriate force option (white to red). See the appendix at the end of this report for a larger illustration.

The Wisconsin DAAT system requires officers to stay one level of force above the suspect’s behavior. The key to this effort, for officers, is the early recognition of the cues displayed by a potentially resistive subject. The defensive tactics cadre consistently taught that distance, calming tones, and patience can be the difference between a use of force and a cooperative encounter. Use of these principles and other efforts to de-escalate will continue to be a key element in future trainings.



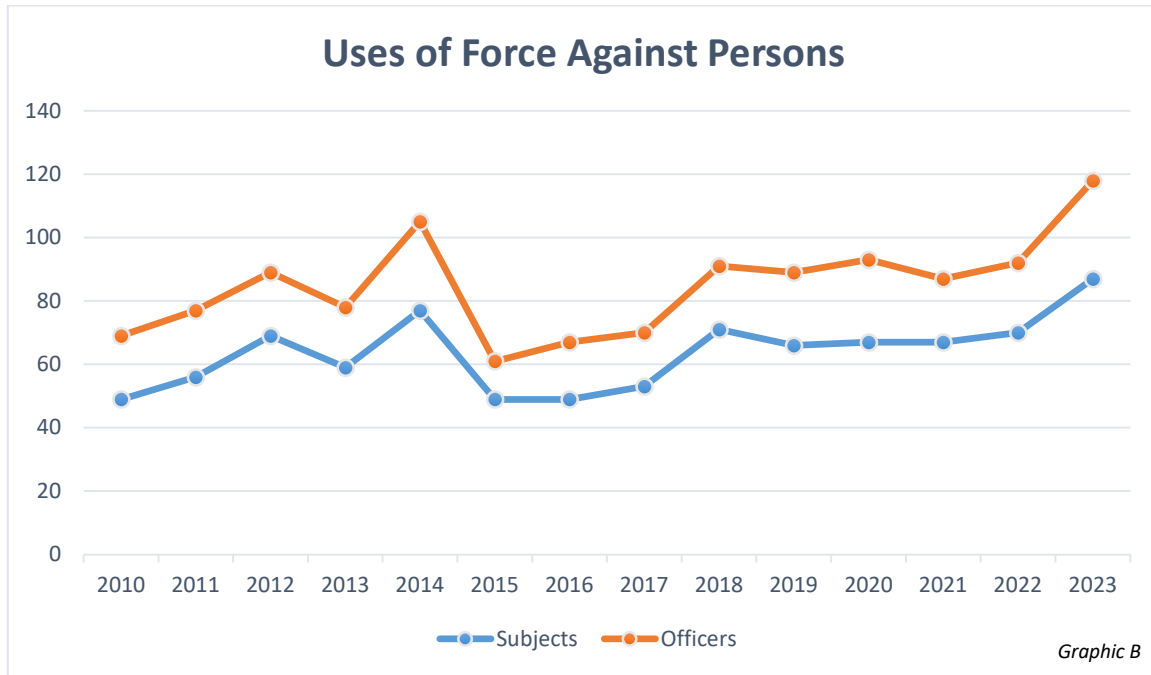
Graphic A

To assist with training officers, the Appleton Police Department has begun utilizing virtual reality. Training in a VR environment allows officers to experience situations they will encounter while on patrol in a safe and controlled manner. Virtual reality also allows officers to practice the use of ECD and firearms without the added cost of cartridges and ammunition.

The information contained in this analysis helps trainers balance various options – virtual reality, classroom technique, isolation drills, scenarios, and other critical thinking methods – to make important decisions quickly under stress. At the same time, trying to slow the situation down to allow for de-escalation and use of CIT/CIP when more appropriate than physical force.

Total Uses of Force Against Persons

In 2023, there were 87 instances of officers using of force against a person. All incidents were reviewed and classified as “justified.” Graphic B shows use of force numbers and total officer involvement from the past 14 annual use of force analysis reports.



Total Uses of Force Against Individuals							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Subjects Involved	66	67	67	70	87	71.4	65.6
Officers Involved	89	93	87	92	118	95.8	87.3

Table 02

The number of incidents which required a use of force rose significantly in 2023. Prior to this year, use of force incidents remained relatively stable at approximately 68 each year. Refer to Table 02 for details. The roughly 20% increase will be discussed further in this analysis as we focus on data from our Downtown District and increased incidents in the late evening and overnight time periods.

The uses of force in 2023 involved 53 different officers. The total of 53 different officers does not match the 118 officers involved statistic referenced below in Table 02 since some officers were involved in more than one use of force throughout the year.

Level of Resistance Encountered							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Passive Resistance	5	3	4	10	10	6.4	5.1
Active Resistance	46	46	47	47	64	50.0	46.5
Assaultive Behavior	14	16	16	12	11	13.8	13.1

Table 03

The data collected showed officers encountered active resistance in 73.6% of their incidents where a use of force was required. This is significantly higher than the 11.5% of passive resistance leading to a use of force. Officers were met with assaultive or deadly force behavior in approximately 14.9% of use of force incidents.

Table 03 showed the occurrences of passive resistance remained the same as the previous year. This is despite the overall growth in use of force incidents. The instances of assaultive or deadly force behavior also remained relatively consistent. Data indicates the increase in 2023 use of force incidents can be attributed in large part to the 26.4% growth in subjects actively resisting.

Officers at the Appleton Police Department are trained to defuse and de-escalate whenever possible. However, the success of these tactics typically decreases as active resistance or assaultive behavior from the subject increases.

Types of Force Used

Table 04 shows that technique used during each use of force incident. Note the totals added together exceed the 87 individuals. Due to aggressively resisting subjects' continued actions, multiple officers may often need different tactics to gain control. For example, Officer "A" is forced to use passive countermeasures (force subject to the ground) while Officer "B" is required to deliver focused strikes (hands or knees) to gain control of the subject's hands because the subject will not comply with orders to stop resisting. This would lead to two techniques recorded on one individual.

Passive Countermeasures were utilized in 68 of the 87 use of force incidents. That translates to just over 78% of all incidents involving uses of force. It is important to understand that when utilizing the majority of use of force technique, the officer's objective is to gain physical control. Bringing an individual to the ground aids in that control.

The Appleton Police Use of Force form captures these events and is reported separately for each officer and technique to identify training needs. If an officer uses force five or more times in a year, a use of force review of those incidents is completed to provide a secondary analysis of them from a broader perspective than was possible during the earlier individual review process. The

goal is to identify officer or subject actions, if any, which may have led to more frequent uses of force being utilized.

Types of Force Used on Individuals Involved*							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
ECD Deployments	12	11	16	14	17	14.0	14.7
<i>Effective</i>	7	7	12	11	13	10.0	11.0
<i>Effective %</i>	58.33%	63.64%	75.00%	72.73%	76.47%	71.43	74.83
<i>Non-Effective</i>	5	4	4	3	4	4.0	3.7
OC Spray	0	0	0	0	0	0	0
Decentralization	50	56	49	52	68	55.0	48.8
Vertical/Ground Stuns	4	3	2	2	1	2.2	3.2
Hand Strikes	9	5	3	11	5	6.6	7.3
Elbow Strikes	2	0	3	2	0	1.4	0.9
Leg Kicks	1	0	0	0	0	0.2	0.3
Knee Strikes	6	8	3	1	3	4.2	4.9
Baton Strikes	0	0	0	0	0	0	0
Canine Bites	0	1	0	1	2	0.8	0.5
Incapacitating Techniques	0	0	0	0	0	0.6	0.6
Deadly Force	1	0	0	1	1	0	0

*Count is based on individuals involved, not the total number of officers who utilized a technique.

Table 04

Total Officer Involvement

Total Officer Involvement							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
0 Incidents	63	65	69	68	61	65.2	66.9
1 Incident	25	26	22	21	20	22.8	22.8
2 Incidents	18	11	10	11	16	13.2	11.7
3 Incidents	3	4	6	10	9	6.4	5.1
4 Incidents	1	3	4	3	5	3.2	2.6
5 Incidents	3	3	1	0	1	1.6	1.6
6 Incidents	0	1	1	0	1	0.6	0.6
7 Incidents	0	0	0	1	0	0.2	0.3
8 Incidents	0	0	0	0	1	0.2	0.1
Total Sworn	113	113	113	114	114	113.4	111.8

Table 05

In the use of force review, the frequency in which an officer used force is also considered. In 2023, there were 53 different officers who used force. This was from a total of 114 total sworn officers. Meaning, over half the sworn officers did not need to use physical force at any point during the

year. The total number of officers who used force is lower than the total use of force incidents because some officers used force more than once throughout the year.

The area of growth compared to last year and the 5-year / 10-year averages was with the officers involved in two separate use of force incidents. This would indicate the increase in uses of force were fairly evenly distributed among officers and not limited to a few officers with higher counts.

Ratio of Uses of Force to Total Arrests

Calls for service in 2023 dipped slightly from the previous year. However, they were still well above calls for service prior to 2022. This is due in part with how calls for service are generated at dispatch. However, there is also a trend of increasing welfare checks and mental health related calls for service that are not necessarily criminal in nature. The total number of adult arrests were nearly identical to the previous year. Juvenile arrests increased by approximately 13%.

Overall, the use of force to arrest ratio increased slightly from 2022 but remained below the 5-year average. Numbers show just under three uses of force were required for every 100 arrests.

Ratio of Uses of Force to Total Arrests							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Calls for Service	46,633	45,867	54,795	65,155	64,339	55,358*	52,039*
Part 1 / Group A Crimes	3,691	4,241	4,529	4,653	4,408	4,304	4,264
Part 2 / Group B Crimes	3,765	4,234	4,852	4,717	4,306	4,375	4,839
Adult Arrests	2,508	2,154	2,638	2,519	2,549	2,474	3,468
Juvenile Arrests	296	227	194	302	346	273	511
UOF on Charged Individuals	53	57	56	62	80	62	57
UOF to Arrest Ratio	1.89%	2.39%	1.97%	2.20%	2.76%	2.93%	1.92%

The (*) references a change in the records management system effective June 25, 2018.

Compilation of data in this report was done as closely as possible from two different systems.

Table 06

Uses of Force Resulting in Injury

Every time an officer takes someone into custody who is either actively resisting or showing assaultive behavior the situation is inherently dangerous for both the subject and the officers involved. Officers are trained to use the appropriate level of force to minimize injuries.

Uses of Force Resulting in Officer Injury							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
None	65	72	80	73	99	77.8	69.4
Claimed	12	9	3	7	2	6.6	6.1
Visible	12	12	4	12	17	11.4	11.8

Table 07

Officer Injuries: In 2023, there were 19 officer reports of injury as a direct result of a use of force. This is the same number that was reported in 2022 and just slightly higher than the 5-year and 10-year averages. The majority of injuries were minor – including abrasions and small lacerations. One officer received first aid for minor injuries sustained during uses of force. Two officer required medical clearance, while two more needed medical assistance due to bloodborne pathogens protocol.

Subject Injuries: In 2023, there was an increase seen in the number of subjects with claimed injuries caused by a use of force. However, only 11.5% of the uses of force required medical treatment at a hospital. Most of those were also in combination for required medical clearance before jail admittance. No use of force in 2023 required an individual to be medically admitted for treatment because of injury caused by force being used.

Most visible or claimed injuries caused by a use of force are minor. Subjects received injuries such as lacerations, abrasions, and puncture wounds from ECD probes. One individual received gunshot wounds during a deadly force incident.

Uses of Force Resulting in Subject Injury							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
None	40	45	37	35	50	41.4	37.5
Claimed	6	3	6	3	7	5.0	4.1
Visible	19	19	24	32	30	24.8	23.9

Table 08

Officers continue to use appropriate levels of force and attempts at de-escalation to limit the injury risk to both themselves and the subject.

Additional Factors During Use of Force Incidents

Some additional factors directly related to use of force incidents are important to understand. This information plays a direct role in understanding subject behavior when training officers for the dynamic situations surrounding a use of force.

In 2023, officers were involved in 18 foot pursuits that ended with a use of force. That number was higher than both the 5-year and 10-year averages. Subjects spit directly at officers four times during use of force incidents, which is about what we would expect from past data. The most significant factor is the continued increase of WRAP restraint applications used to control a

resisting subject. When the Appleton Police Department switched from using a hobble to the WRAP system, the safety benefits and ease of use have led to increased applications.

Additional Factors During Use of Force Incidents			
	2023	5-Year Avg	10-Year Avg
Use of Force Involving a Prior Foot Pursuit	18	15.4	13.8
Use of Force Involving a Subject Spitting at Officers	4	4.6	3.3
Use of Force Involving a Hobble or WRAP Restraint Application	22	11.8	10.6

Table 09

Day and Month Breakdown

The day of the week information is compiled based on the start of the officer’s shift and not necessarily based on the actual day of the use of force – meaning if a use of force occurs at 2am on Sunday, it would be counted as a Saturday since the officers involved would not have started their shift Saturday afternoon or evening. This is a change that was made in how data was reported starting in 2015. Therefore, data collected between 2016 and 2022 cannot be reliably compared to prior years. The information is still close enough to draw general conclusions. In Table 10, information is shown in a Sunday-Saturday format.

City-Wide Uses of Force by Day of Week							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Sunday	6	9	5	5	10	7.0	7.0*
Monday	9	9	8	5	7	7.6	8.7*
Tuesday	15	7	9	10	10	10.2	8.9*
Wednesday	7	7	15	8	14	10.2	7.9*
Thursday	11	14	10	15	8	11.6	9.1*
Friday	9	12	10	11	14	11.2	11.4*
Saturday	9	9	10	16	24	13.6	12.6*
Total	66	67	67	70	87	71.4	65.6*

The (*) denotes a change starting in 2016 with how the “day” was calculated. Up until 2015 a day was from 0000-2359 hours. Now it is calculated based on when the officer’s shift started to better help with staffing level decisions.

Table 10

Use of force totals saw an increase in five of the seven days of the week. Thursday was the only day which saw a decrease from 2022, while Tuesday stayed the same with 10. As a percentage, Wednesday, and Saturday, and Sunday all saw significant increases in uses of force. However, the raw data shows two of those days were not too far off their 5-year averages.

In 2022, data seemed to suggest an upward trend in uses of force between Thursday and Saturday. This upward trend was reflected in the Friday and Saturday numbers. Friday saw a 21.5% increase, while Saturday saw 33.3% increase. Each of the typical weekend days (Friday, Saturday, and Sunday) showed numbers well above the 5-year and 10-year averages. This

information, coupled with knowing most uses of force occur in the downtown district at night, reinforce the importance of extra police presence in our entertainment district each weekend.

When looking at the use of force data in Table 11, there are four months that should be noted. The first is January, which showed a 33.3% increase in the number of times force was used. The nine uses of force were also more than double the 5-year and 10-year averages. September and December also saw increases in uses of force when compared to 2022. As a percentage these were not as high as January, they were still well above their respective 5-year and 10-year averages.

The last month to look at is October, which saw a 57% reduction in uses of force. The three recorded incidents were less than half of the 5-year average and almost exactly half of the 10-year average. This despite typically larger downtown crowds due to Halloween celebrations.

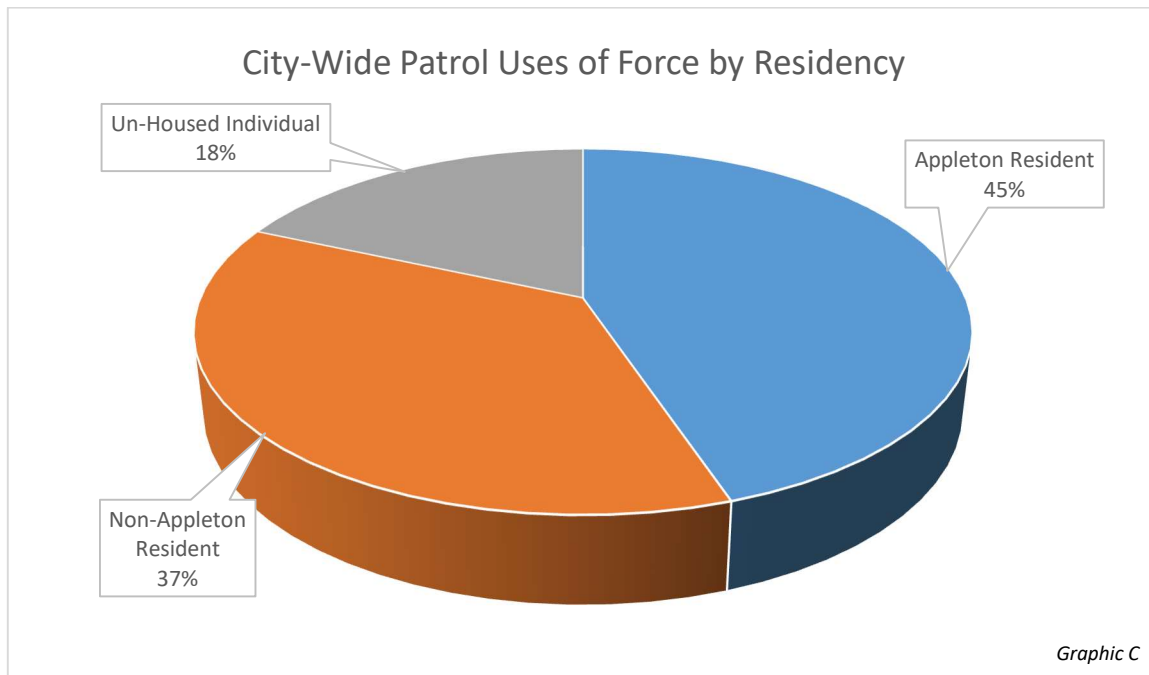
Holidays did not seem to play a significant part in the use of force distribution. Larger events held over weekends, such as Oktoberfest and Mile of Music, also did not appear to add to the use of force numbers.

City-Wide Uses of Force by Month							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
January	3	3	1	6	9	4.4	4.6
February	2	7	5	2	3	3.8	4.7
March	6	8	8	4	5	6.2	5.7
April	6	1	5	7	9	5.6	5.9
May	5	7	5	7	7	6.2	5.0
June	5	10	5	3	7	6.0	5.2
July	3	2	3	4	7	3.8	4.3
August	5	7	2	8	7	5.8	5.4
September	9	8	6	6	11	8.0	6.4
October	10	7	11	7	3	7.6	6.2
November	6	4	11	9	8	7.6	6.8
December	6	3	5	7	11	6.4	5.4
Total	66	67	67	70	87	71.4	65.6

Table 11

Ratio of Uses of Force to City Population

In 2023, there were 87 total individuals who had forced used on them during the process of detainment or arrest. Of those, just under half (39) involved actions against an Appleton resident. Non-Appleton residents were involved in 32 use of force incidents. Many of these included visitors to our downtown area. The remaining 16 uses of force were on individuals experiencing homelessness at the time of the incident.



According to the United States Census Bureau, the population of Appleton in 2020 was 75,644. However, Appleton draws in a large number of people from outside the city for work, dining, and entertainment. It is estimated the combined statistical areas (CSA) of the Fox Valley (Appleton, Neenah, and Oshkosh area communities) reached an estimated 415,563 in 2022, making it the third largest CSA in Wisconsin, behind Milwaukee and Madison.

Shift and District Breakdown

Use of force data is collected and broken down both at both city-wide level and district (geographic) specific levels. The city-wide data provides useful macro-level information to our community. The district specific information allows the department to adjust resource allocation and drive future trainings.

Overall, the shift breakdowns don't show much difference for officers working the afternoon and overnight shifts. The 1400-2200 and 2200-0600 times accounted for just under 38% of the use of force incidents. However, a dramatic difference was seen when comparing the Downtown with the Northern or Southern Districts. The downtown had over 63% of use of force incidents.

Historically, the afternoon timeframe tends to be fairly similar to the overnight in terms of overall numbers. The only real outliers were in 2019 when the afternoon shift had 45% of the uses of force compared to 26% during the overnight. The second was in 2022 when the overnight had approximately 44% of the uses of force. This year, there was even split with 33 each.

City-Wide Uses of Force by Shift							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Daytime 0600-1400	19 28.79%	17 25.37%	17 25.37%	17 24.29%	21 24.14%	18.2 25.49%	16.5 25.15%
Afternoon 1400-2200	30 45.45%	25 37.31%	26 38.81%	22 31.43%	33 37.93%	27.2 38.10%	24.9 37.96%
Overnight 2200-0600	17 25.76%	25 37.31%	24 35.82%	31 44.29%	33 37.93%	26.0 36.41%	24.2 36.89%
Total	53	67	67	70	87	71.4	65.6

Table 12

As is typically observed, the Downtown District accounted for the majority of uses of force (63.22%). As a percentage, the 2023 total is approximately eight points higher than both the 5-year and 10-year averages.

A significant increase had been seen in uses of force outside of Appleton in 2022. This increase was likely due to a combination of mutual aid requests and SIU (Special Investigations Unit) working with the US Marshals Service. In 2023, the incidents outside Appleton were cut nearly in half – down to just four. Much closer to the 5-year and 10-year averages.

City-Wide Uses of Force by District							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Northern	11 16.67%	13 19.40%	12 17.91%	13 18.57%	19 21.84%	13.6 19.05%	11.3 17.23%
Downtown	35 53.03%	33 49.25%	34 50.75%	39 55.71%	55 63.22%	39.2 54.90%	36.1 55.03%
Southern	19 28.79%	20 29.85%	19 28.36%	11 15.71%	9 10.34%	15.6 21.85%	16.1 24.54%
Out of City	1 1.52%	1 1.49%	2 2.99%	7 10.00%	4 4.60%	3.0 4.20%	2.1 3.20%
Total	53	67	67	70	87	71.4	65.6

Table 13

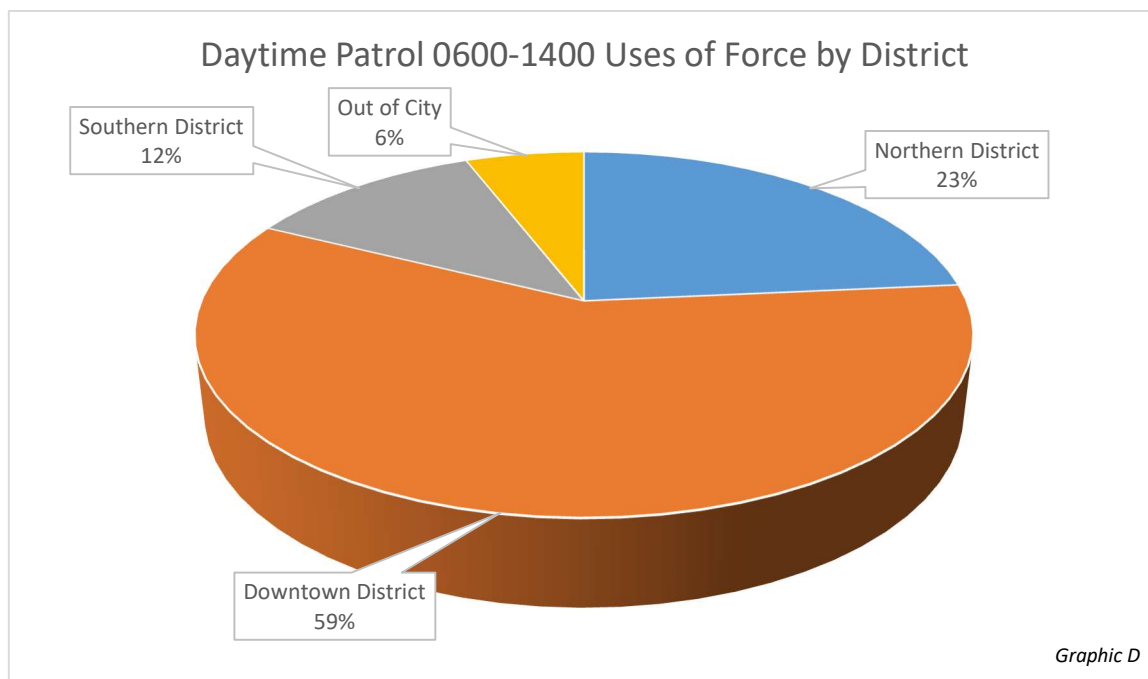
Daytime Patrol 0600-1400

The Appleton Police Department has three primary shifts and two power shifts. The shifts are a mix of 8-hour and 12-hour shifts typically starting at 0700, 0900, 1500, 1900, and 2300 hours. Because there are so many variables and possible start/end times, this report has been simplified to show data from daytime patrol (0600-1400), afternoon patrol (1400-2200), and overnight patrol (2200-0600). Meaning these numbers are more representative of the time of day than the shift an officer is assigned.

Daytime Patrol 0600-1400 Quick Snapshot			
	2023	5-Year Avg	10-Year Avg
Average Age of Officer Who Used Force	37.4	37.8	38.5
Average Years of Experience at Appleton	13.0	12.7	13.5
Use of Force Involving Misdemeanor Arrests	8	5.2	5.4
Use of Force Involving Felony Arrests	7	5.2	3.7
Use of Force Involving Suspect Under the Influence	9	4.2	2.6
Use of Force Involving Domestic Arrests	3	1.4	0.9

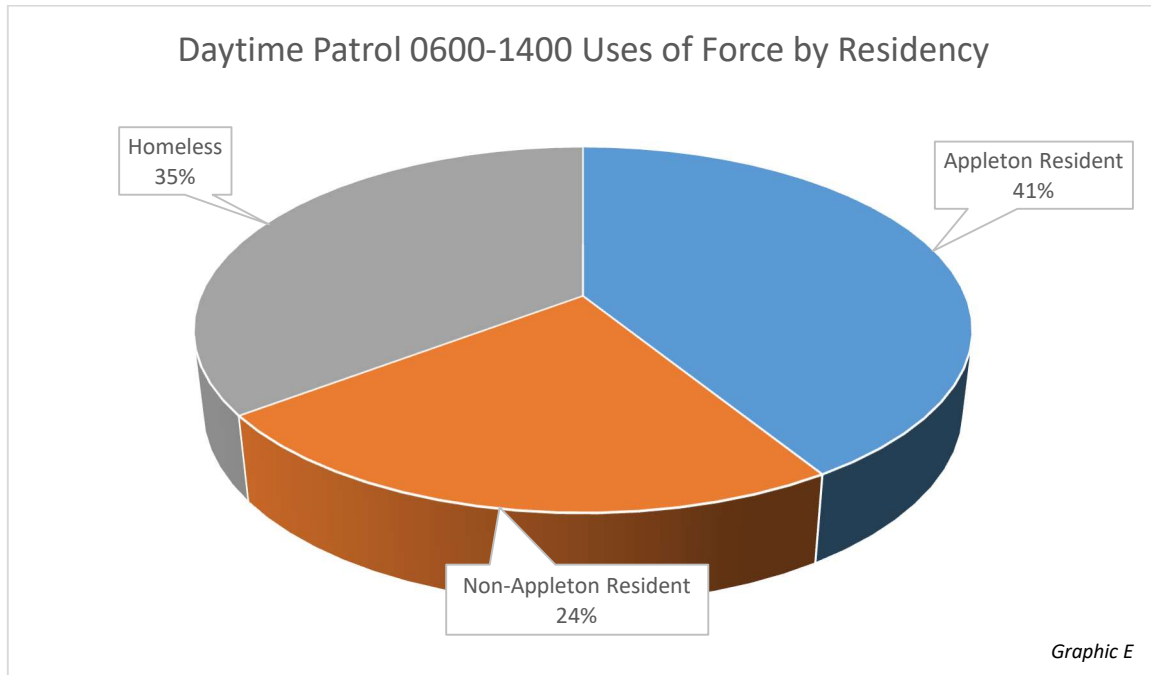
Table 14

The data presented in Table 14 shows a quick “snapshot” of some of the circumstances surrounding uses of force in 2023 between the hours of 0600-1400. Despite a fair amount of personnel changes the past couple years, the average age and experience of officers working the day shift who used force have stayed consistent. Factors respective the subjects however have increased. Misdemeanor and felony arrests requiring a use of force were well above their 5-year and 10-year averages. Most notably, the involved subjects who were under the influence of drugs or alcohol at the time were more than double the 5-year average and approximately 3x higher than the 10-year average.

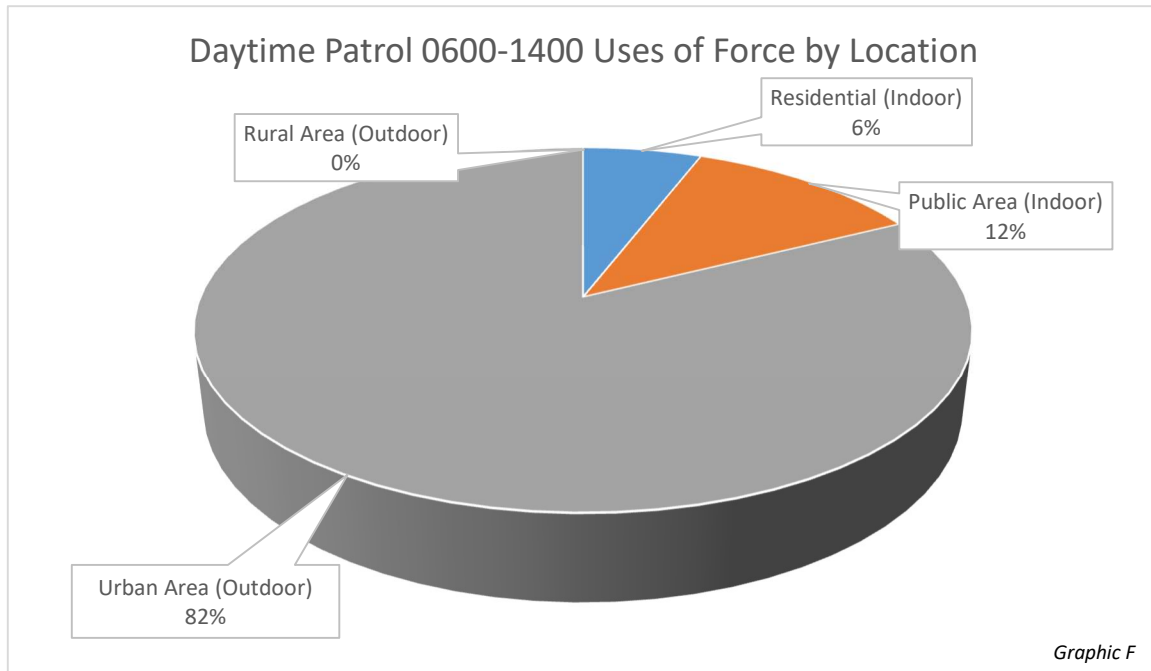


Graphic D

Graphic D shows over half the daytime uses of force (59%) were in the Downtown District. The Northern District had the second most uses of force (23%), followed by the Southern District (12%). The remaining uses of force were because of Appleton officers assisting in multi-agency task forces or other agencies requesting assistance.



During the 0600-1400 time period, most uses of force (41%) involved subjects who have residency in Appleton. Unhoused individuals without a permanent residence accounted for 35% of the uses of force. Just under a quarter (24%) involved an individual who lives outside of Appleton.



The majority of times force was used occurred outside. This is consistent whether comparing districts or time of day. During the daytime 0700-1400 time period, 82% of uses of force were

outdoors. For the remaining instances that happened indoors, 12% were in public spaces and just 6% were in residential spaces.

Further breakdowns in Table 15 and Table 16 show how the uses of force from 0600-1400 compared to previous years in terms of month and day-of-week. While there were some minor differences shown in 2023 compared to previous years, those seem to be due to an overall increase and not because of an increase due to a specific month or day.

Daytime Patrol 0600-1400 Uses of Force by Month							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
January	0	0	0	3	2	1.0	0.6
February	1	1	2	0	0	0.8	0.6
March	0	3	2	0	1	1.2	1.0
April	3	0	1	0	4	1.6	1.0
May	1	3	0	1	1	1.2	0.6
June	0	3	0	0	1	0.8	0.6
July	1	0	1	1	0	0.6	1.0
August	2	2	1	1	2	1.6	1.4
September	1	0	0	1	2	0.8	0.9
October	2	1	2	0	0	1.0	0.9
November	0	1	3	4	2	2.0	1.9
December	0	0	0	1	2	0.6	0.6
Total	11	14	12	12	17	13.2	11.1

Table 15

Daytime Patrol 0600-1400 Uses of Force by Day of Week							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Sunday	1	2	1	1	3	1.6	1.4
Monday	3	3	2	2	3	2.6	2.2
Tuesday	3	0	2	2	1	1.6	1.8
Wednesday	1	3	2	3	4	2.6	1.8
Thursday	1	2	3	1	1	1.6	1.2
Friday	1	2	2	1	3	1.8	1.4
Saturday	1	2	0	2	2	1.4	1.3
Total	11	14	12	12	17	13.2	11.1

Table 16

Afternoon Patrol 1400-2200

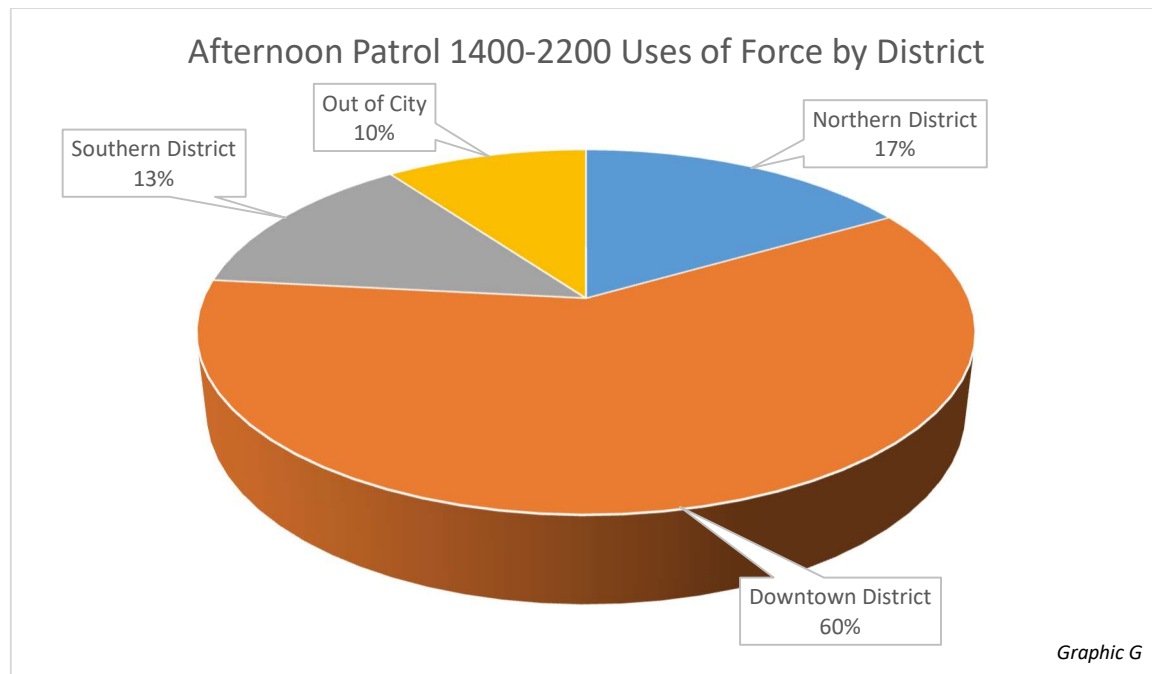
Compared to the Daytime Patrol statistics, the Afternoon Patrol was more comparable to previous years. The data presented in Table 17 did show a modest increase to officer experience and officer age working in the afternoons. The increase in misdemeanor and felony arrests requiring a use of

force did increase but were not too far outside the 5-year average. Individuals who were under the influence were perhaps slightly below what might be expected.

Afternoon Patrol 1400-2200 Quick Snapshot			
	2023	5-Year Avg	10-Year Avg
Average Age of Officers Who Used Force	33.6	32.9	33.4
Average Years of Experience at Appleton	7.0	6.7	7.9
Use of Force Involving Misdemeanor Arrests	13	11.2	12.2
Use of Force Involving Felony Arrests	14	11.0	8.2
Use of Force Involving Suspect Under the Influence	10	10.6	9.0
Use of Force Involving Domestic Arrests	4	3.0	2.5

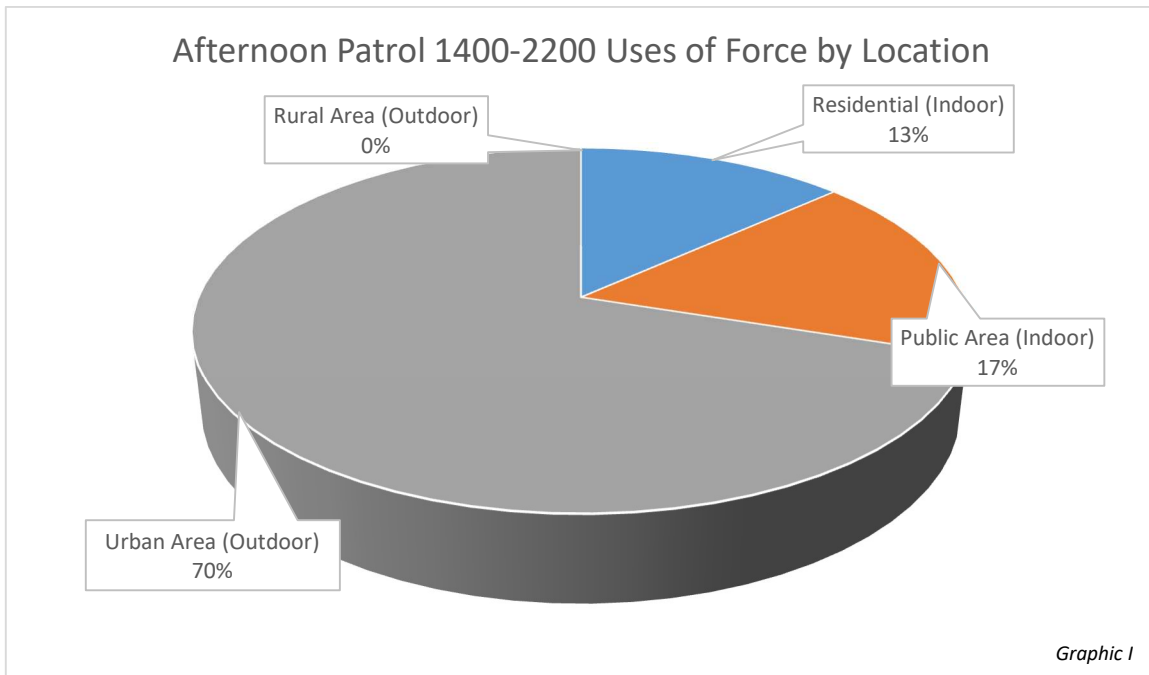
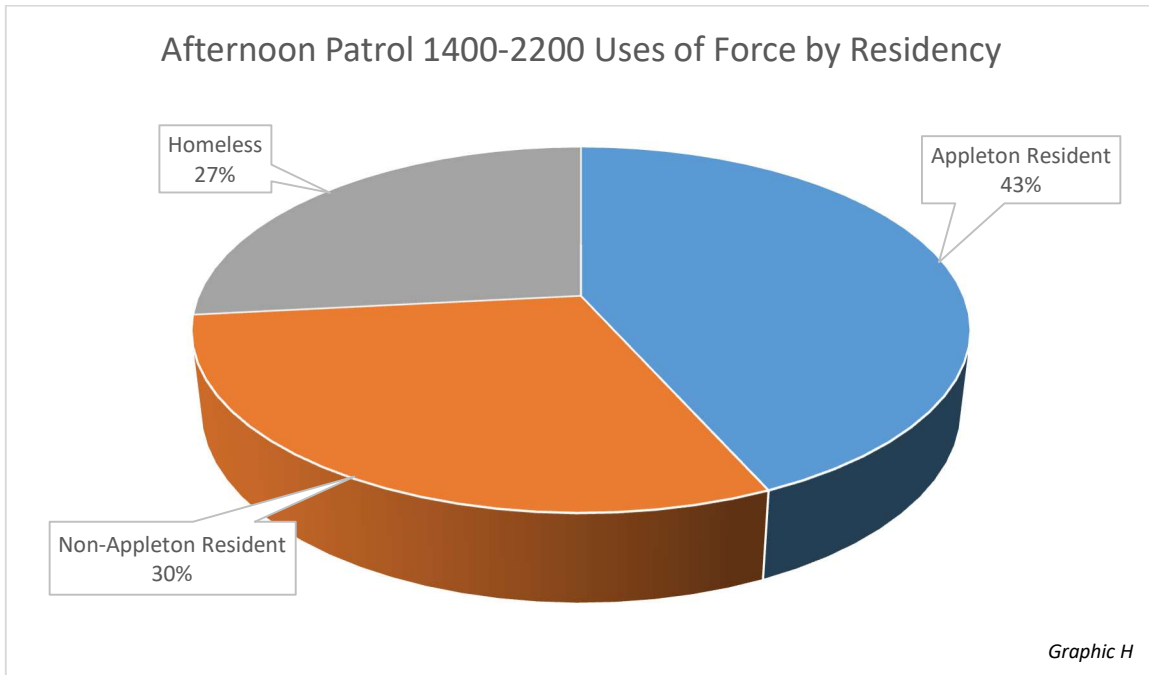
Table 17

Graphic G shows over half the afternoon uses of force (60%) were in the Downtown District. The Northern District had the second most uses of force (17%), followed closely by the Southern District (13%). The remaining uses of force were because of Appleton officers assisting in multi-agency task forces or other agencies requesting assistance.



Graphic G

During the 1400-2200 time period, most uses of force (43%) involved subjects who have residence in Appleton. Unlike the daytime hours, Non-Appleton residences accounted for the next highest number of uses of force (30%). That trend will continue when looking at the data during the overnight hours. This is likely due to individuals coming into Appleton to utilize various entertainment options in the downtown area. Unhoused individuals without a permanent residence accounted for 27% of the uses of force.



The majority of times force was used occurred outside. This is consistent whether comparing districts or time of day. During the afternoon 1400-2200 time period, 70% of uses of force were outdoors. For the remaining instances that happened indoors, 17% were in public spaces and 13% were in residential spaces.

Further breakdowns in Table 18 and Table 19 show how the uses of force from 1400-2200 compared to previous years in terms of month and day-of-week. January and December both recorded relatively high increases, as did Saturday nights. The traditional weekends had been relatively consistent the past few years, with 2022 even showing a decline on Saturdays. In 2023, Saturday afternoon uses of force were well above the 5-year and 10-year averages.

Afternoon Patrol 1400-2200 Uses of Force by Month							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
January	3	2	1	1	5	2.4	1.7
February	0	1	1	0	1	0.6	1.5
March	1	0	3	3	1	1.6	1.8
April	2	0	1	2	2	1.4	2.2
May	2	2	4	2	3	2.6	2.1
June	4	2	3	1	3	2.6	2.1
July	1	2	1	1	2	1.4	1.7
August	2	2	0	2	2	1.6	2.0
September	3	6	3	1	4	3.4	2.6
October	8	5	1	3	1	3.6	2.2
November	3	0	4	3	2	2.4	2.1
December	1	3	2	1	4	2.2	1.9
Total	30	25	24	20	30	25.8	23.9

Table 18

Afternoon Patrol 1400-2200 Uses of Force by Day of Week							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Sunday	3	1	3	2	4	2.6	3.5
Monday	3	2	4	2	3	2.8	3.3
Tuesday	7	4	2	2	3	3.6	2.9
Wednesday	3	3	6	4	6	4.4	3.5
Thursday	8	6	4	5	4	5.4	3.8
Friday	3	6	1	4	4	3.6	3.2
Saturday	3	3	4	1	6	3.4	3.7
Total	30	25	24	20	30	25.8	23.9

Table 19

Overnight Patrol 2200-0600

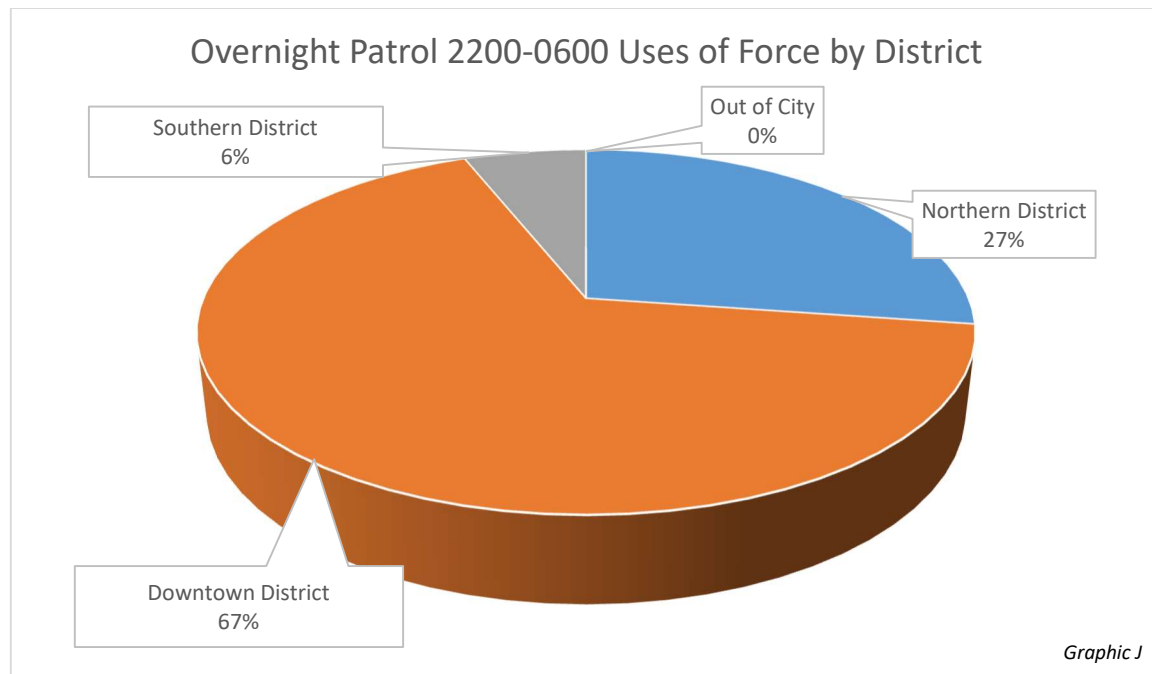
The average age and experience of officers working overnight patrol were below both the 5-year and 10-year averages. This was expected due to an increase in hiring the past few years. Most new hires end up working overnight shifts. Uses of force on subjects being arrested on felony charges remained consistent with the 5-year average, but misdemeanor arrests with a use of force were significantly higher than the 5-year and 10-year averages. Subjects who were under the

influence of drugs or alcohol increases slightly, and domestic related arrests with a use of force were higher as well. Reference Table 20 for additional information.

Overnight Patrol 2200-0600 Quick Snapshot			
	2023	5-Year Avg	10-Year Avg
Average Age of Officer Who Used Force	30.3	31.3	32.4
Average Years of Experience at Appleton	3.9	4.3	6.1
Use of Force Involving Misdemeanor Arrests	20	12.4	12.0
Use of Force Involving Felony Arrests	9	9.6	7.8
Use of Force Involving Suspect Under the Influence	19	16.6	12.2
Use of Force Involving Domestic Arrests	6	2.6	2.4

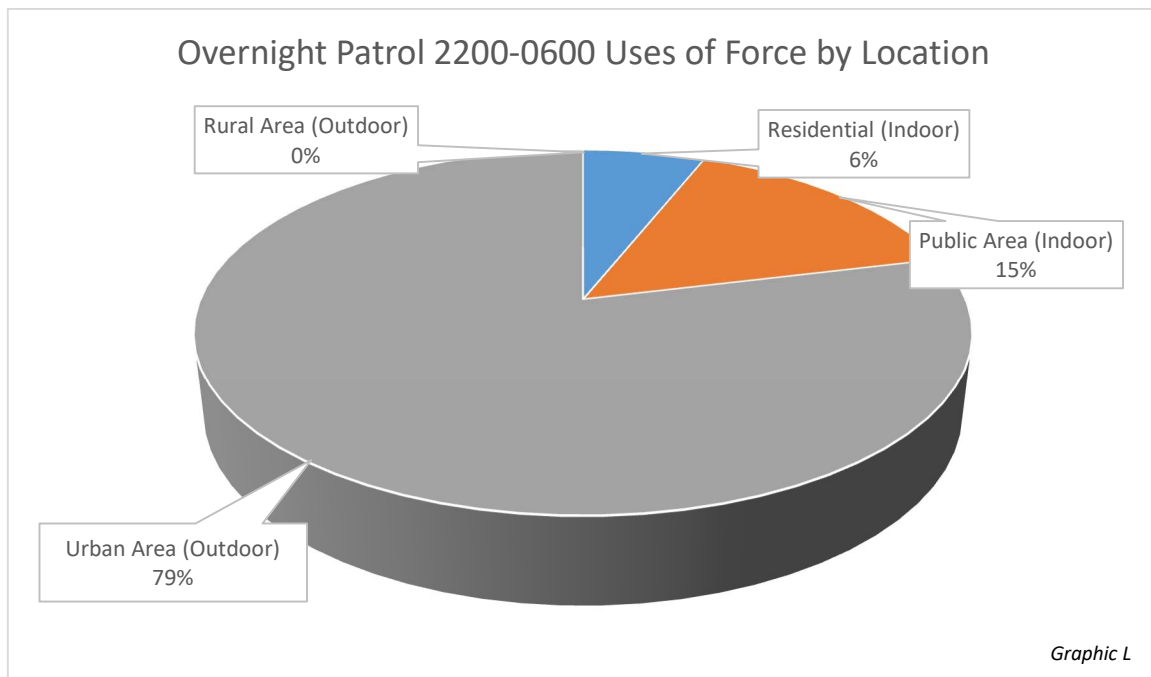
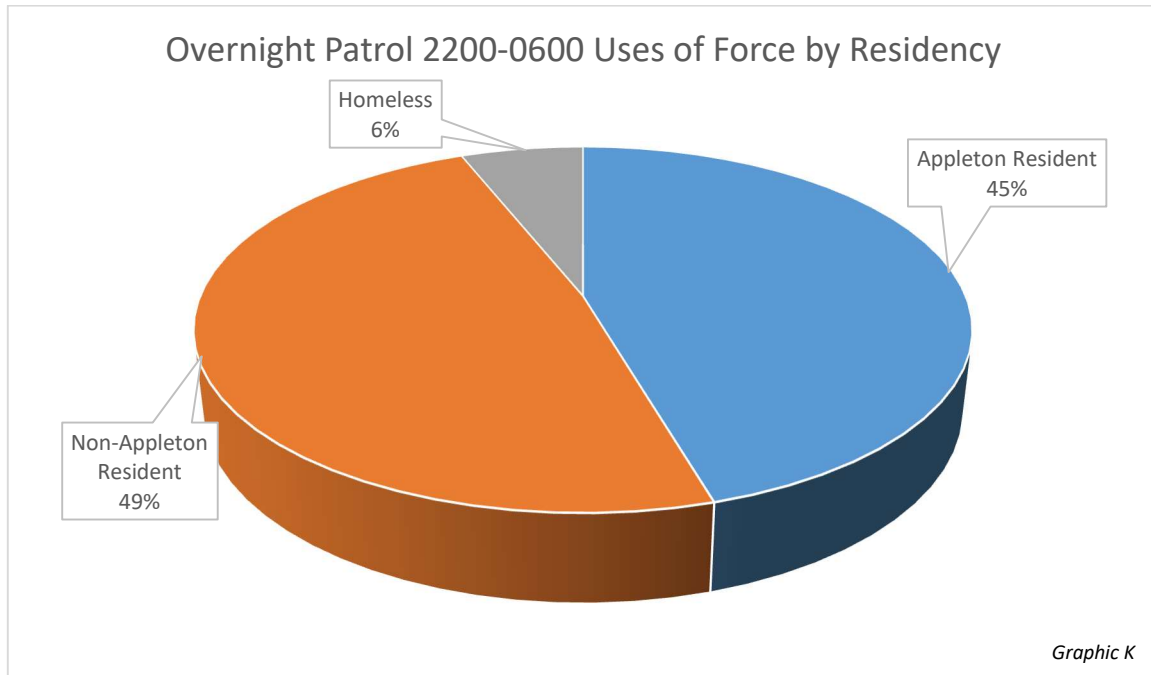
Table 20

Graphic J shows over two-thirds of the overnight uses of force (67%) were in the Downtown District. As with the daytime and afternoon timeframes, the Northern District had the second most (27%). The Southern District had just 6%. No uses of force occurred between 2200-0600 outside the City of Appleton.



Graphic J

During the 2200-0600 time period, most uses of force (49%) involved subjects who live outside the City of Appleton. The vast majority of these uses of force occurred in the downtown area during the first half of the overnight period. Appleton residents accounted for 45% of the uses of force while unhoused individuals without a permanent residence were 6% of the total.



The majority of times force was used occurred outside. This is consistent whether comparing districts or time of day. During the overnight 2200-0600 time period, 79% of uses of force were outdoors. For the remaining instances that happened indoors, 15% were in public spaces and 6% were in residential spaces.

Further breakdowns in Table 21 and Table 22 show how the uses of force from 2200-0600 compared to previous years in terms of month and day-of-week. Similar to what was recorded in the afternoons, Saturday overnights saw an increase in uses of force. From 2020 to 2023, use of force totals on Saturdays grew from just four to 16. Last year had seven uses of force on Thursday, which dropped to just one in 2023.

Overnight Patrol 2200-0600 Uses of Force by Month							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
January	0	1	0	2	2	1.0	1.8
February	0	3	2	2	2	1.8	1.9
March	3	4	3	1	0	2.2	2.0
April	1	1	2	5	3	2.4	2.3
May	1	2	1	3	3	2.0	2.1
June	1	5	2	2	3	2.6	2.4
July	1	0	1	2	5	1.8	1.6
August	1	3	1	5	3	2.6	2.0
September	3	2	3	3	2	2.6	2.0
October	0	1	4	0	1	1.2	1.9
November	3	3	3	1	4	2.8	2.3
December	3	0	2	5	5	3.0	1.9
Total	17	25	24	31	33	26.0	24.2

Table 21

Overnight Patrol 2200-0600 Uses of Force by Day of Week							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Sunday	2	6	1	2	3	2.8	2.1
Monday	1	3	1	1	1	1.4	1.9
Tuesday	3	2	4	4	5	3.6	2.9
Wednesday	2	1	4	0	2	1.8	1.4
Thursday	2	5	3	7	1	3.6	3.0
Friday	2	4	5	5	5	4.2	5.4
Saturday	5	4	6	12	16	8.6	7.5
Total	17	25	24	31	33	26.0	24.2

Table 22

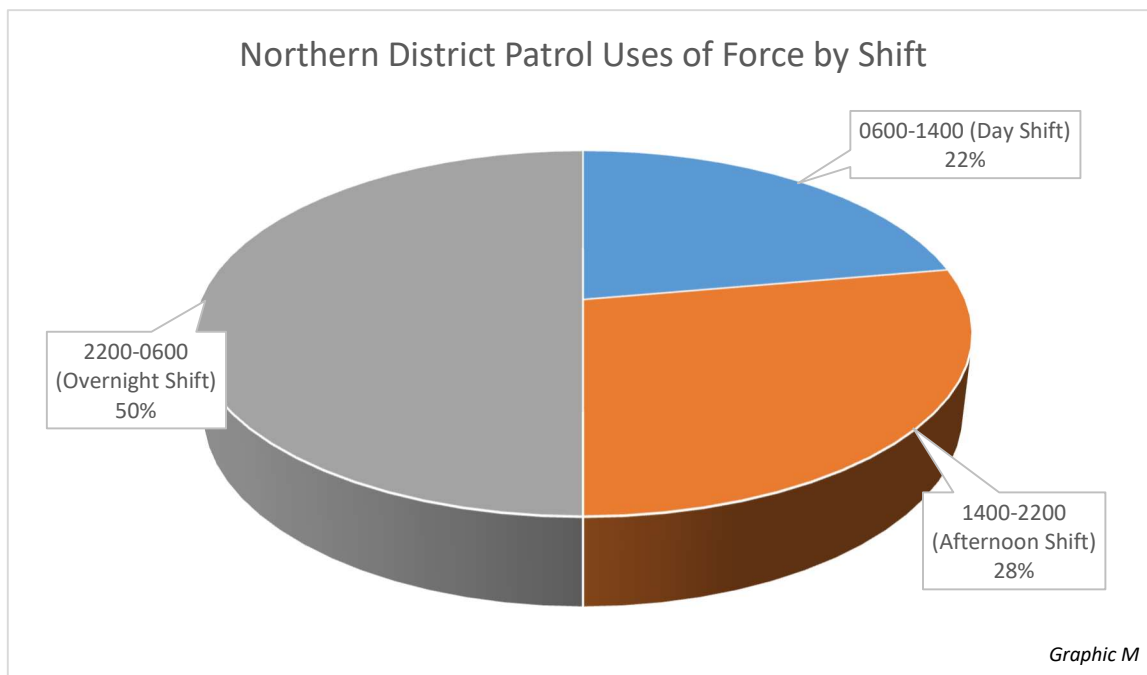
Northern District Patrol

The City of Appleton is comprised of three districts. Northern District runs the entire length of Wisconsin Ave from the eastern-most edge of the city to the western-most edge. From there, the district goes north to the city limits.

Northern District Patrol Quick Snapshot			
	2023	5-Year Avg	10-Year Avg
Average Age of Officer Who Used Force	33.4	32.3	33.4
Average Years of Experience at Appleton	7.0	6.2	7.2
Use of Force Involving Misdemeanor Arrests	11	6.6	5.5
Use of Force Involving Felony Arrests	4	3.8	3.0
Use of Force Involving Suspect Under the Influence	4	5.8	4.0
Use of Force Involving Domestic Arrests	6	2.8	2.5

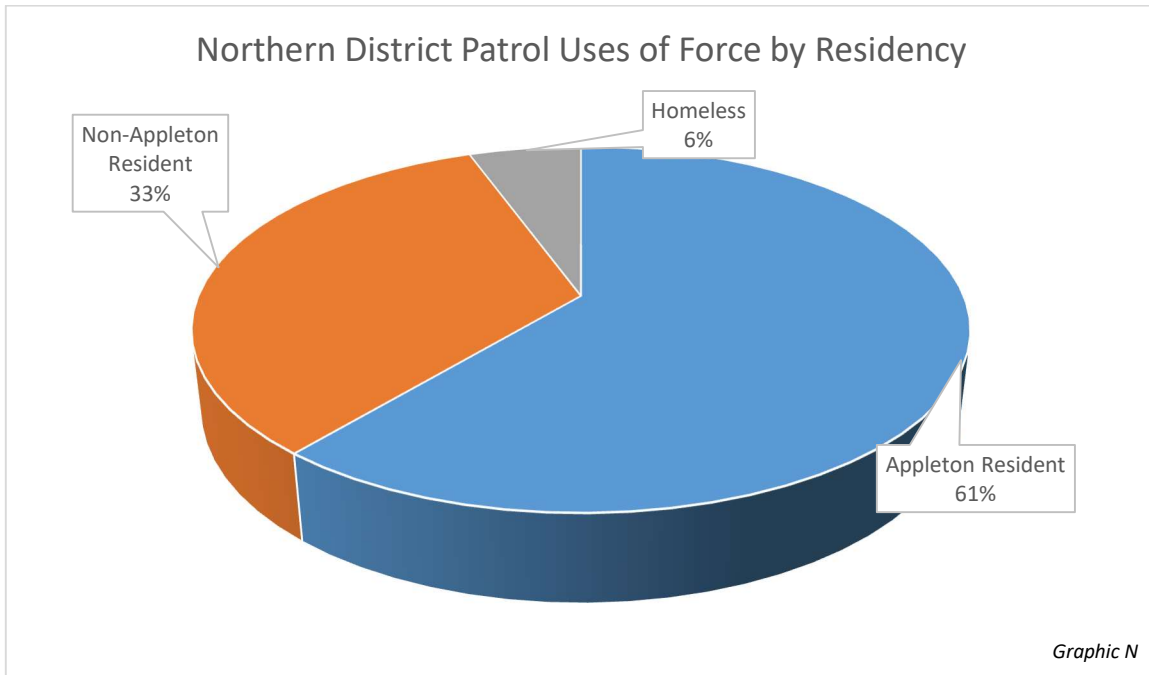
Table 23

The Northern District Patrol had 18 (20.7%) of the 87 use of force incidents in 2023. Graphic D breaks down the Northern District data into daytime, afternoon, and overnight times. The majority of these (50%) took place during the 2200-0600 overnight hours. The remaining were split between four (22.2%) during the 0600-1400 daytime hours and five (27.8%) during the 1400-2200 afternoon hours.

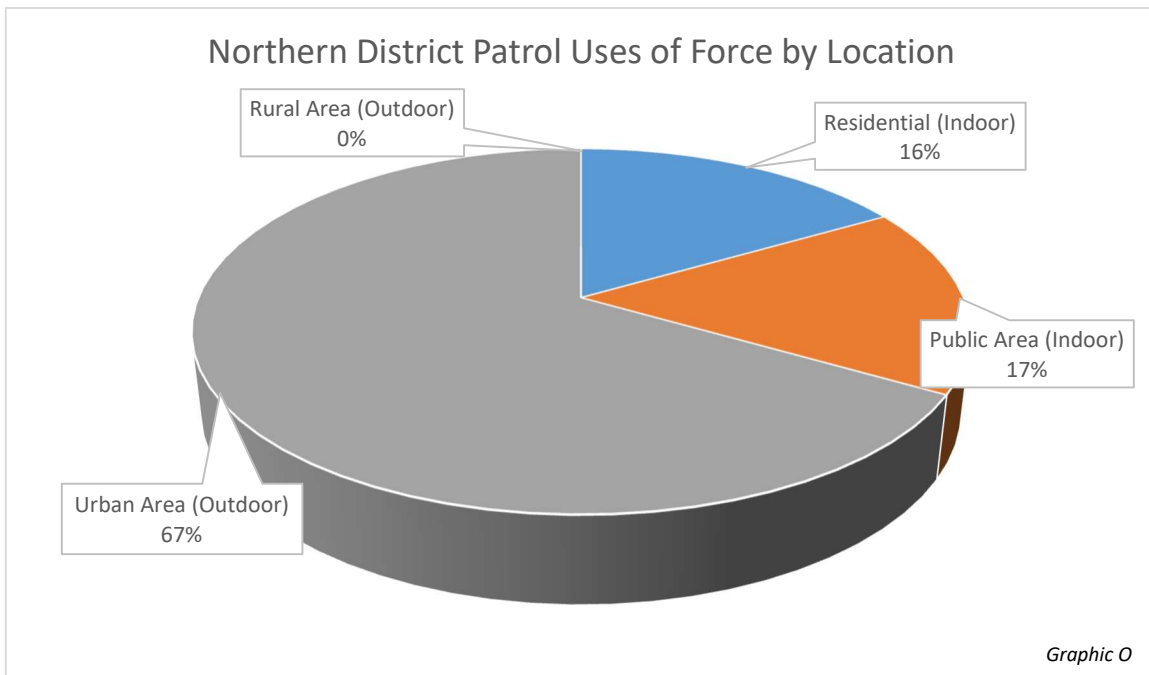


Graphic M

Uses of force in the Northern District mostly involved Appleton residents. In total, 61% of incidents involved a subject who resides in Appleton. Non-residents accounted for 33% of the uses of force while unhoused individuals without a permanent residence comprised just 6% of the total.



As for location, 12 of the 18 uses of force occurred in outdoor environments. Refer to Graphic O for details. Only three uses of force were required within residential indoor environments. Three uses of force were also reported within indoor public spaces. No uses of force occurred within more open, rural type settings.



The 5-year average show uses of force in the Northern District typically peak in April. This is in large part because of the number of incidents in 2022 and 2023. Outside those two years, most other uses of force are more evenly distributed. Reference Table 13 for details.

Northern District Uses of Force by Month							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
January	0	1	0	3	2	1.2	0.8
February	0	0	0	0	1	0.2	0.5
March	0	1	2	0	1	0.8	0.9
April	1	0	1	4	5	2.2	1.5
May	0	2	0	1	2	1.0	0.5
June	1	3	0	0	1	1.0	0.9
July	1	0	0	0	2	0.6	1.2
August	0	1	0	2	1	0.8	0.8
September	2	2	1	0	0	1.0	0.7
October	2	2	1	1	0	1.2	1.1
November	3	0	3	0	1	1.4	1.0
December	0	0	1	1	2	0.8	0.6
Total	10	12	9	12	18	12.2	10.5

Table 24

Northern District Uses of Force by Day of Week							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Sunday	1	1	2	2	4	2.0	1.7
Monday	0	2	2	1	2	1.4	1.7
Tuesday	3	1	1	3	4	2.4	1.8
Wednesday	1	2	1	2	2	1.6	1.2
Thursday	0	2	1	1	0	0.8	0.7
Friday	3	2	2	1	2	2.0	1.8
Saturday	2	2	0	2	4	2.0	1.6
Total	10	12	9	12	18	12.2	10.5

Table 25

Northern District use of force incidents were relatively evenly distributed by day of week. The overall increase in incidents city-wide held true to the Northern District specifically as well. Saturday and Sunday were both twice their 5-year averages. Table 14 shows a more detailed breakdown of the information.

Downtown District Patrol

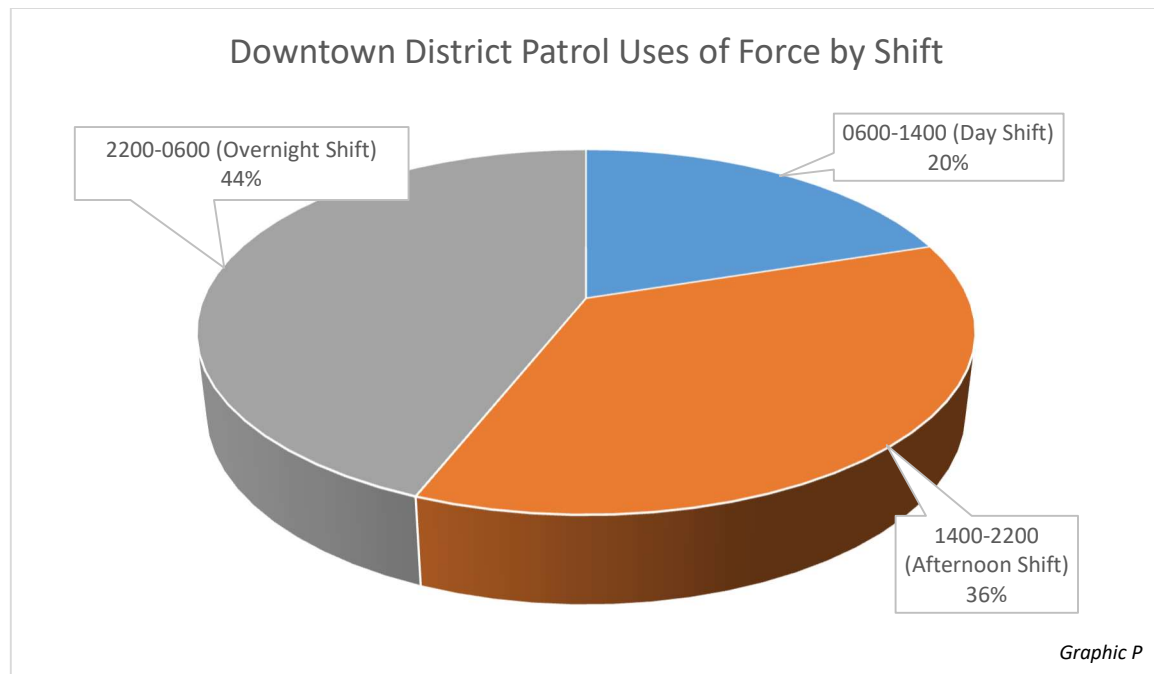
The northern-most edge of the Downtown District runs the entire length of Wisconsin Ave from the eastern-most edge of the city to the western-most edge. From there, the district goes south to

the river with one exception. The area east of the College Avenue bridge, but south of the river, is in the Southern District.

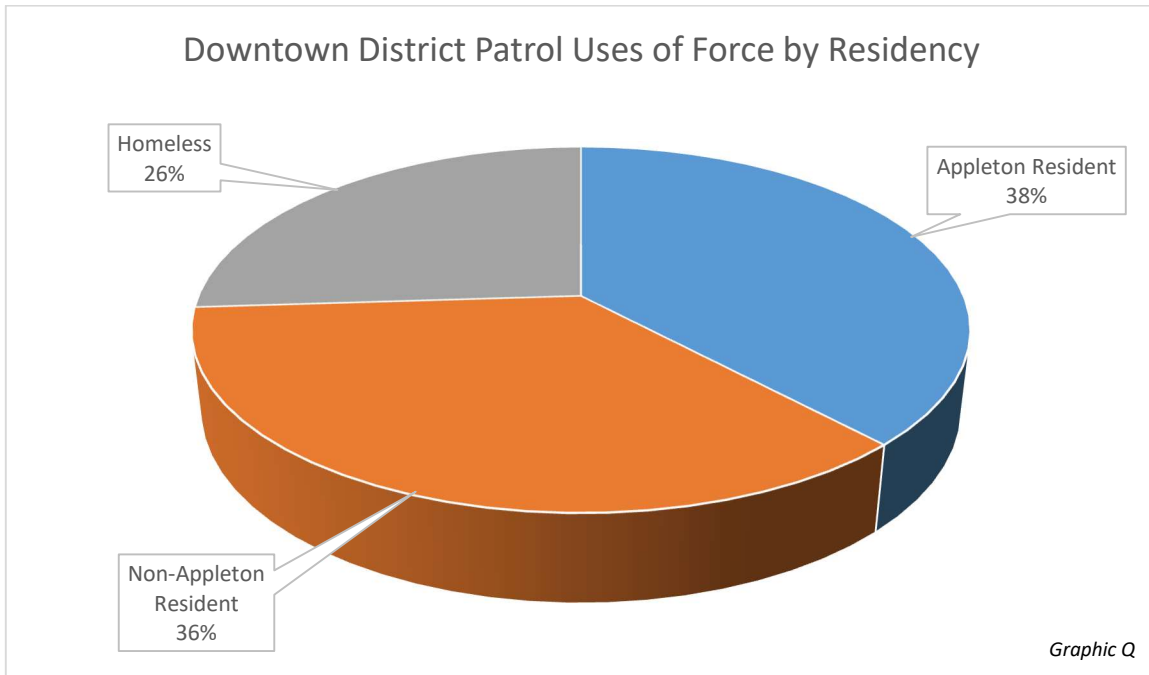
Downtown District Patrol Quick Snapshot			
	2023	5-Year Avg	10-Year Avg
Average Age of Officer Who Used Force	32.0	33.3	34.1
Average Years of Experience at Appleton	6.4	7.0	8.5
Use of Force Involving Misdemeanor Arrests	27	16.4	21.0
Use of Force Involving Felony Arrests	19	14.0	10.4
Use of Force Involving Suspect Under the Influence	28	17.2	13.0
Use of Force Involving Domestic Arrests	3	2.0	1.6

Table 26

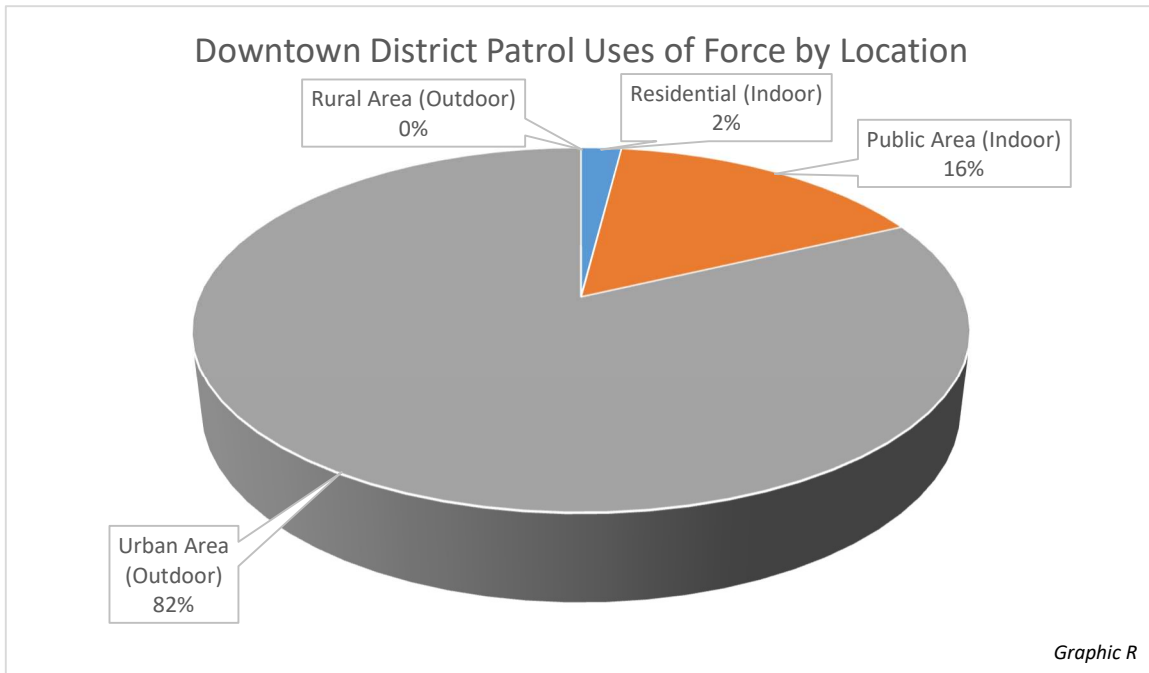
The Downtown District Patrol had the majority (50) of Appleton’s 87 use of force incidents in 2023. Graphic P breaks down the Downtown District data into daytime, afternoon, and overnight times. Most of these (44%) took place during the 2200-0600 overnight hours. The afternoon timeframe had approximately 36% while daytime had approximately 20% of incidents.



Uses of force in the Downtown District was fairly evenly split when looking at residency of the individual. Appleton residents consisted of 38% of the total downtown uses of force. Non-residents accounted for 36%, while unhoused individuals without a permanent residence were 26% of the total.



Over three-quarters (41) of the uses of force in the Downtown District occurred in outdoor environments. Eight of them occurred indoors within a commercial setting such as a store or public building. Only one occurred within a private residence.



In terms of monthly occurrences, the five year average typically show uses of force in the Downtown District with relatively even distribution. The two outliers for 2023 were significant

increases in January and December. In both months, the total uses of force were more than double the 5-year and 10-year averages. Refer to Table 27 for details.

As might be expected due to the location of the Entertainment District, most uses of force occurred over the weekend. In past years, the “weekend” would comprise of Thursday, Friday, and Saturday. In 2023, the Thursday numbers actually declined, and an increase was seen on Sunday. Saturday saw the largest increase in uses of force of any year the Appleton Police Department has recorded. The Saturday total rose 500% from the previous year. In 2022, there were four uses of force in the Downtown on a Saturday. In 2023, there were 20 uses of force. Reference Table 28 for details.

Downtown District Patrol Uses of Force by Month							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
January	2	0	1	2	7	2.4	2.4
February	1	3	3	1	2	2.0	1.9
March	3	3	3	4	1	2.8	2.7
April	4	0	3	3	3	2.6	3.1
May	4	3	3	4	4	3.6	3.0
June	3	6	1	2	5	3.4	3.0
July	1	1	2	4	4	2.4	1.9
August	1	3	2	4	5	3.0	2.9
September	1	4	4	3	4	3.2	2.7
October	4	4	4	1	2	3.0	2.5
November	3	2	5	5	6	4.2	3.7
December	3	2	1	2	7	3.0	2.3
Total	30	31	32	35	50	35.6	32.1

Table 27

Downtown District Patrol Uses of Force by Day of Week							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Sunday	2	4	1	0	4	2.2	2.6
Monday	2	4	3	2	3	2.8	3.3
Tuesday	7	2	3	3	5	4.0	3.7
Wednesday	3	3	8	4	8	5.2	4.0
Thursday	8	7	5	7	3	6.0	4.5
Friday	3	5	5	7	7	5.4	5.5
Saturday	1	1	2	4	20	10.0	8.5
Total	30	31	32	35	50	35.6	32.1

Table 28

Southern District Patrol

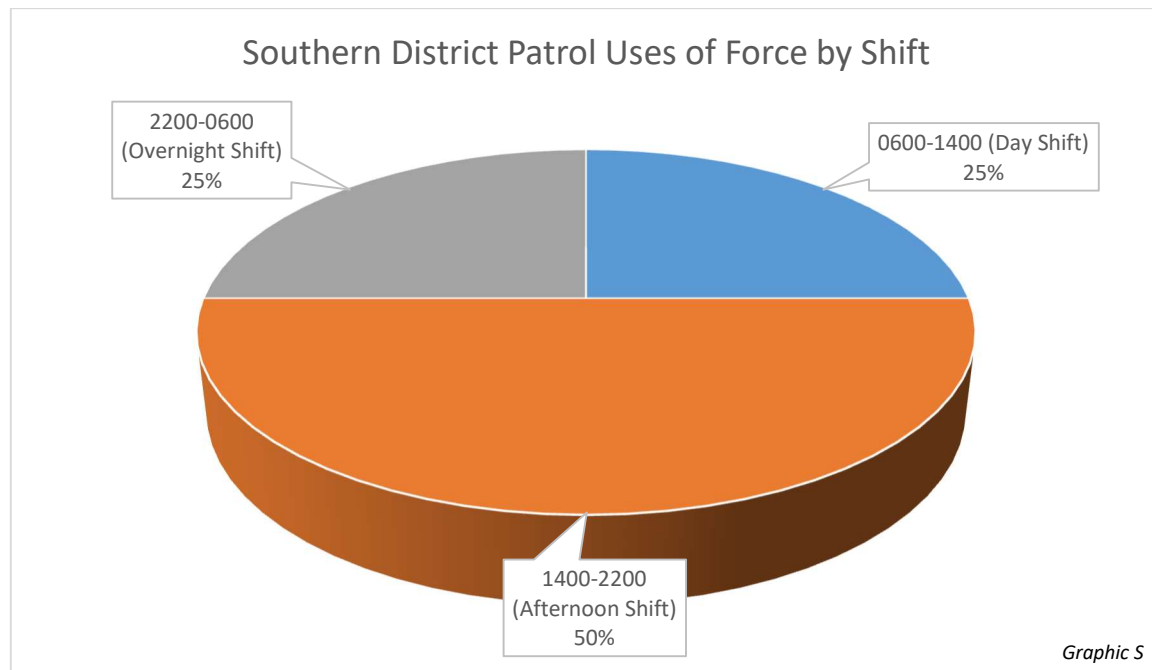
The northern-most edge of the Southern District runs the entire length of College Ave from the western-most edge of the city to the College Avenue bridge. At the bridge, the district continues east along the south side of the river. From there, everything south comprises the Southern District.

Southern District Patrol Quick Snapshot			
	2023	5-Year Avg	10-Year Avg
Average Age of Officer Who Used Force	33.2	33.1	33.6
Average Years of Experience at Appleton	4.7	6.0	7.6
Use of Force Involving Misdemeanor Arrests	3	5.4	5.6
Use of Force Involving Felony Arrests	3	6.0	5.3
Use of Force Involving Suspect Under the Influence	5	7.4	6.2
Use of Force Involving Domestic Arrests	4	2.0	1.6

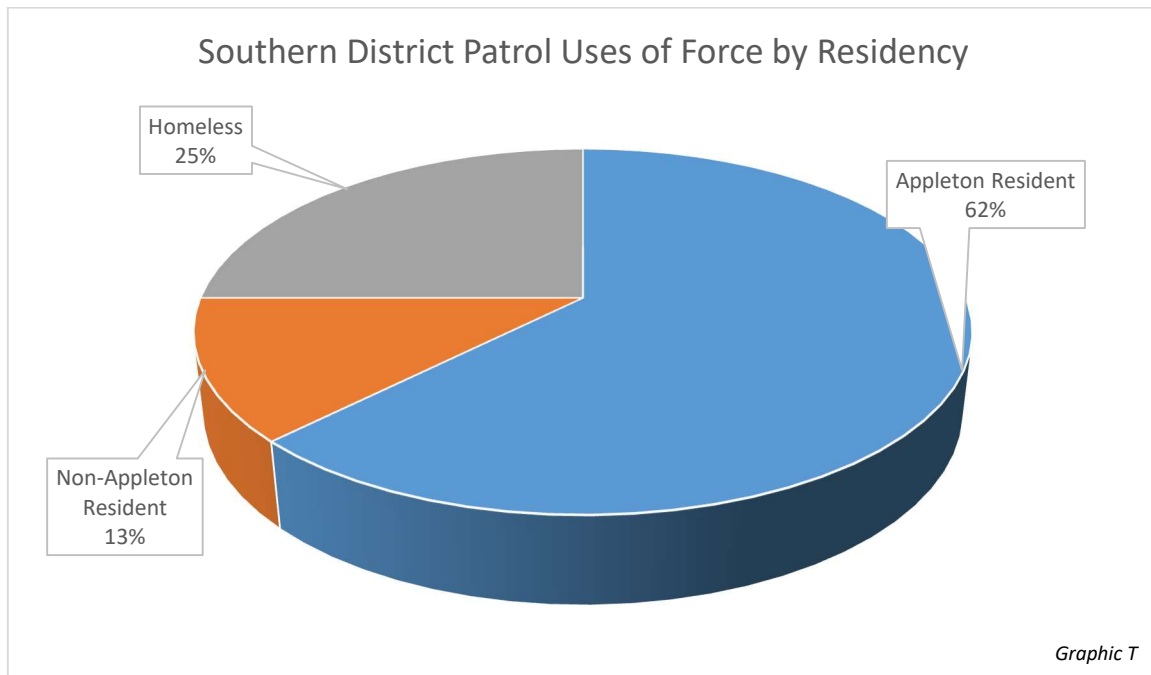
Table 29

The Southern District Patrol had just eight use of force incidents in 2023. This is the lowest number of uses of force in the district since 2012. It also continues a trend started in 2022 when uses of force dropped from 17 (in 2021) to nine. It is possible the decline is reflective of department efforts to be safer and more efficient with calls for service at the hospital located within the district. Only one use of force in the Southern District involved an individual requiring a mental health evaluation.

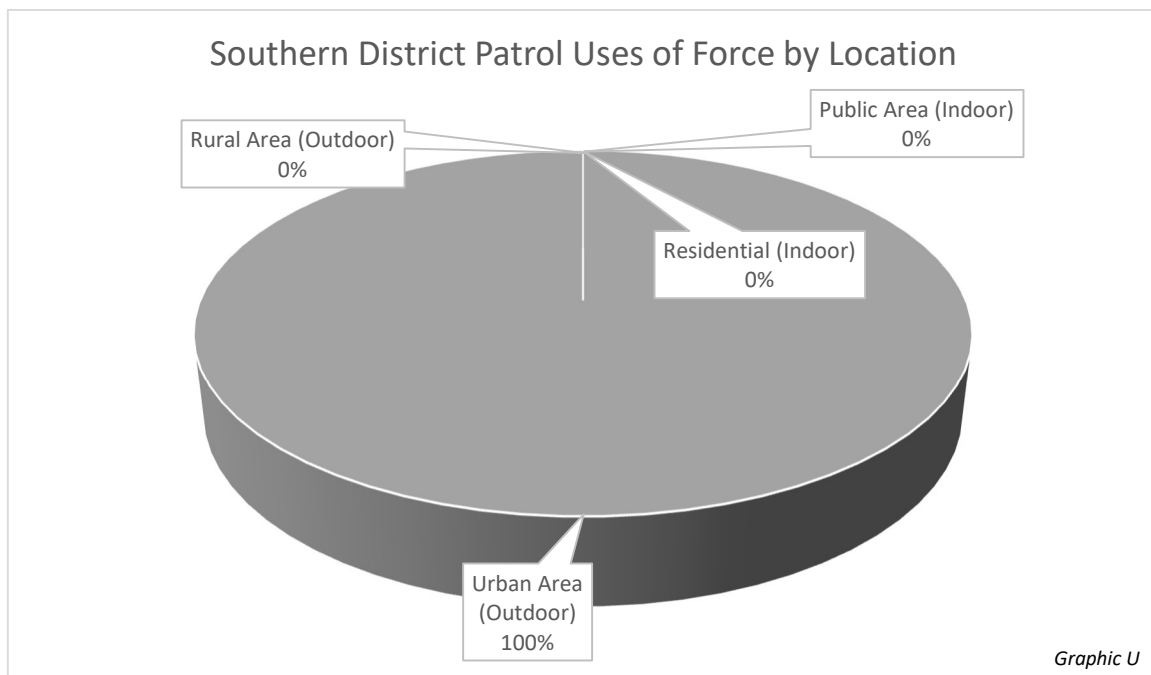
Graphic S breaks down the Southern District data into daytime, afternoon, and overnight times. The afternoon hours of 1400-2200 had four uses of force – accounting for half of those recorded. The daytime hours 0600-1400 and overnight hours 2200-0600 both had two uses of force each.



Graphic S



Uses of force in the Southern District mostly involved Appleton residents. In total, 62% of incidents involved a subject who resides in Appleton. This was nearly identical to the Northern District. Non-residents accounted for 13% of the uses of force while unhoused individuals without a permanent residence comprised 25% of the total.



The general category of “outdoor” encompasses the majority of the uses of force throughout the city. In the Southern District, all uses of force occurred in urban outdoor areas. Understanding

typical environments ultimately becomes important during training to provide realistic scenarios and safety risks. Refer to Graphic U for a graphic breakdown.

When looking at incidents month-over-month, the 5-year average show uses of force in the Southern District typically peak in September. While September did have the most uses of force with two, there were six months which recorded only one each. Five of the months finished without a use of force in the Southern District. Reference Table 30 for details.

Southern District Patrol Uses of Force by Month							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
January	1	2	0	0	0	0.6	1.0
February	0	2	2	1	0	1.0	1.3
March	1	3	2	0	0	1.2	1.1
April	1	1	0	0	1	0.6	0.9
May	0	2	1	1	1	1.0	1.2
June	1	1	4	0	1	1.4	1.1
July	1	1	1	0	1	0.8	1.0
August	4	3	0	2	0	1.8	1.4
September	4	2	1	1	2	2.0	1.8
October	3	1	2	1	0	1.4	1.3
November	0	2	2	1	1	1.2	1.4
December	1	0	2	2	1	1.2	1.1
Total	17	20	17	9	8	14.2	14.6

Table 30

Southern District Patrol Uses of Force by Day of Week							
	2019	2020	2021	2022	2023	5-Year Avg	10-Year Avg
Sunday	3	4	2	2	2	2.6	2.5
Monday	5	2	2	1	2	2.4	2.2
Tuesday	2	2	4	1	0	1.8	1.8
Wednesday	2	2	3	0	1	1.6	1.3
Thursday	3	4	3	2	0	2.4	1.9
Friday	0	5	1	2	3	2.2	2.6
Saturday	2	1	2	1	0	1.2	2.3
Total	17	20	17	9	8	14.2	14.6

Table 31

Southern District use of force incidents were seen primarily on Sunday, Monday and Friday nights. However, those totals were no more than two or three each. The relatively low numbers compiled make it difficult to make any meaningful observations based solely on day of week.

Conclusion

It is the policy of the Appleton Police Department that officers shall use only the amount of force that is reasonably necessary to achieve a lawful objective. The force used shall be in accordance with the Constitution of the United States and the Constitution of the State of Wisconsin.

Based on the 2023 data, a use of force is most likely to occur in the Downtown District (63.2%), during an afternoon or overnight (both 37.9%), on a Saturday during the winter months, and involve a passive countermeasure. Though not tracked specifically by form, intuitively it is known that alcohol or drug intoxication is a contributing factor in these incidents.

Each use of force is documented and reviewed by the DAAT Coordinator, Firearms Coordinator, and Training Coordinator to validate the initial findings by the supervisor on scene. As needed, further review is conducted by Patrol Captains and the Assistant Chief. In addition to the formal reviews, many operations supervisors conduct an immediate debriefing following a use of force incident to discuss that worked well and what could be improved. The immediate review of audio/video of an incident, when available, provides officers and supervisors with immediate feedback on the sequence of events.

In accordance with Department Policy, reasonable force is defined as an act by a police officer in the performance of duty used to accomplish a legitimate law enforcement goal and is objectively reasonable under the totality of circumstances as perceived by the officer at the time the officer acted. The totality of circumstances perceived by the officer can include statements made by the person or a known prior history of resistive or assaultive behavior.

The 1989 U.S. Supreme Court decision in *Graham v. Connor* provided law enforcement officers with specific guidelines when determining “reasonableness.” The Court established an Objective Reasonableness Standard which says that reasonableness should be judged under the totality of the circumstances from the perspective of a reasonable officer at the scene with similar training and experience. Three elements of the standard are:

1. The severity of the alleged crime at issue.
2. Whether the person poses an imminent threat to the safety of officers and/or others.
3. Whether the person is actively resisting seizure or attempting to evade seizure by flight.

From a training perspective, the Department will continue to focus on dialog as a critical intervention option. Providing clear and immediate verbal commands to suspects remains a priority. The use of passive and active countermeasures for decentralizing and controlling the actions of a suspect are used with the greatest frequency.

In 2023, the APD DAAT program continued to discuss and train keeping a safe distance between a subject and an officer. Using principles learned from Crisis Intervention Training on de-escalation, officers are practicing stepping back and allowing a subject to process the arrest command before going “hands-on.” This important concept can be the key to less use of force incidents in the future.

Because training staff pays close attention to statistical analysis of types of force used and the types of injuries sustained, and by instituting best practices of de-escalation, use of cover and slowing things down, the Appleton Police Department is dedicated to reducing force used on citizens.

The Appleton Police Department remains committed to maintaining current policies, realistic training, and comprehensive reviews of all incidents involving the use of force. The training cadre at the APD is further committed to continue reducing the number of physical interventions by practicing verbal de-escalation and giving subjects time and space to consider the implications of their actions. It is a reality in law enforcement that no matter how polite and considerate an officer is there is a small percentage of individuals who have made up their mind to resist arrest. There are also many who are so impaired by drugs or alcohol that they cannot make rational decisions. For those subjects, Appleton Police Department Officers will be ready through realistic and difficult training. Use of force is not taken lightly. Officers must be prepared to defend their own life and the lives of citizens. We are steadfast in our resolve to do so legally and ethically.

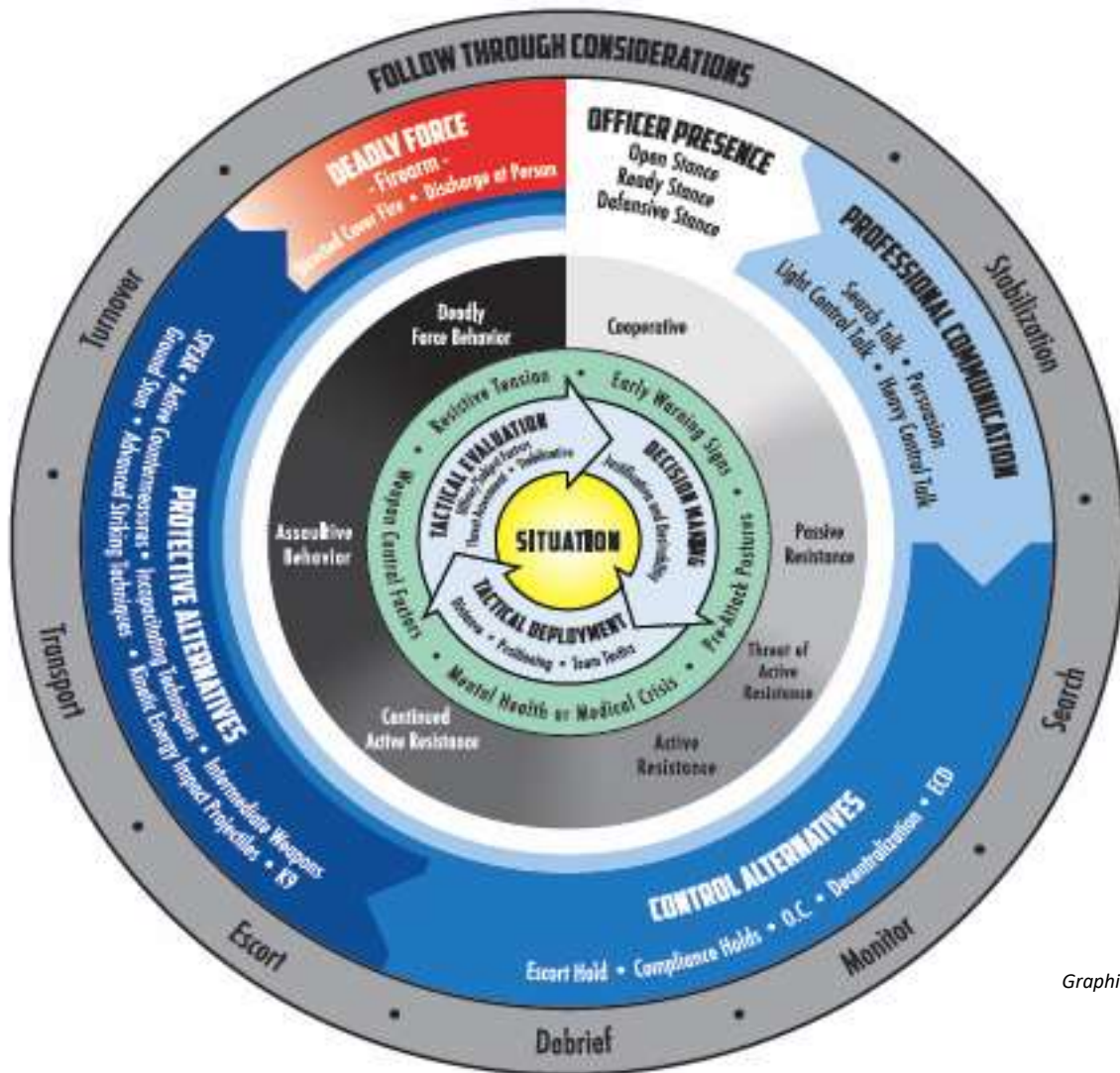
Appendix

Intervention Options

<u>Mode</u>	<u>Purpose</u>
A. Presence	<i>To present a visible display of authority</i>
B. Dialog	<i>To verbally persuade</i>
C. Control Alternatives	<i>To overcome passive resistance, active resistance, or their threats</i>
a. Escort Holds	
b. Compliance Holds	
c. Control Devices	
i. OC Spray	
ii. Electronic Control Devices (ECD's)	
d. Passive Countermeasures	
D. Protective Alternatives	<i>To overcome continued resistance, assaultive behavior, or their threats</i>
a. Active Countermeasures	
b. Incapacitating Techniques	
c. Intermediate Weapon (APD Approved Baton)	
E. Kinetic Energy Impact Projectile Weapons	
F. Canine (K-9) apprehension resulting in bite	
G. Deadly Force	<i>To stop the threat</i>

Use of Force Wheel

There are many different visual variations of Use of Force Continuums. Some are displayed as a matrix, others as pyramid or a graphic correlating increased or continued resistance with additional options to the officer.



Graphic J

Definitions

Active Countermeasures: An opposing measure, taken in response to the actions of another.

Active Resistance: Behavior which physically counteracts an officer's control efforts and which creates a risk of bodily harm to the officer, subject, and/or other persons.

Assaultive Behavior: Direct actions or conduct that generates bodily harm.

Baton: A police impact weapon used to impede an adversary by striking parts of the body. Conventional batons are made of wood or plastic; expanding batons are constructed of a series of telescoping metal shafts.

Continued Resistance: Maintaining a level of counteractive behavior that is not controlled by an officer's current efforts.

Core Competencies: A listing of department trained techniques identified by the DAAT Coordinator which receive more focus than others during training sessions.

DAAT System: A system of verbalization skills coupled with physical alternatives for Wisconsin law enforcement.

Deadly Force: The intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

Decentralization: To direct a person to the ground in an effort to control their movements and stabilize prior to handcuffing.

De-escalation: To decrease in intensity, to select another, less extreme alternative.

Electronic Control Device (ECD): A device that transmits a safe amount of electrical current through probes deployed into a person with the objective of gaining control through temporary neuro-muscular incapacitation.

Great Bodily Harm: Means bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury. (939.22(14))

Hobble: A heavy-duty nylon strap with a snap hook on one end and a self-locking alligator clip on the other to assist with subject control and transport.

Impact Weapon: Weapon (baton) whose force is manifested by blunt force caused by striking.

Incapacitating Techniques: Techniques and movements done to a person with the goal of creating immediate, temporary cessation of violent behavior.

Intervention Options: An element of Disturbance Resolution in DAAT containing five modes in which an officer can intervene with a subject.

Kinetic Energy Impact Weapon: Kinetic energy is energy possessed by a body in motion. Kinetic energy = half mass x velocity squared.

Objectively Reasonable: The standard by which many actions of a police officer are judged. As an example: 'Would your actions be judged appropriate by a reasonable person based on the totality of circumstances and the information known to you at that time?'

Part 1 / Group A Crimes: Collection of charges include; arson, assault, bribery, burglary, forgery, damage to property, drug offenses, embezzlement, extortion, fraud, gambling offenses, homicide, human trafficking, kidnapping, larceny, vehicle theft, prostitution, robbery, sex offenses, stolen property, weapon violations, and animal cruelty.

Part 2 / Group B Crimes: Collection of charges include; curfew, loitering, vagrancy, disorderly conduct, driving under the influence, non-violent family offenses, liquor law violations, peeping tom, probation violations, and bail jumping.

Passive Countermeasures: Techniques and movements done to decentralize a person.

Passive Resistance: Non-compliant and non-threatening behavior.

Pre-Attack Cues: Signals or certain behaviors provided by the subject that are often associated with a high level of danger to officers. Behaviors that may indicate imminent danger of physical assault.

ECD Leads/Probes: The ends of the ECD projectile that make contact with the target of the deployment.

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