



Association of State Uniform Crime Reporting Programs (ASUCRP) Conference 2016

National Use of Force Data Collection

September 28, 2016

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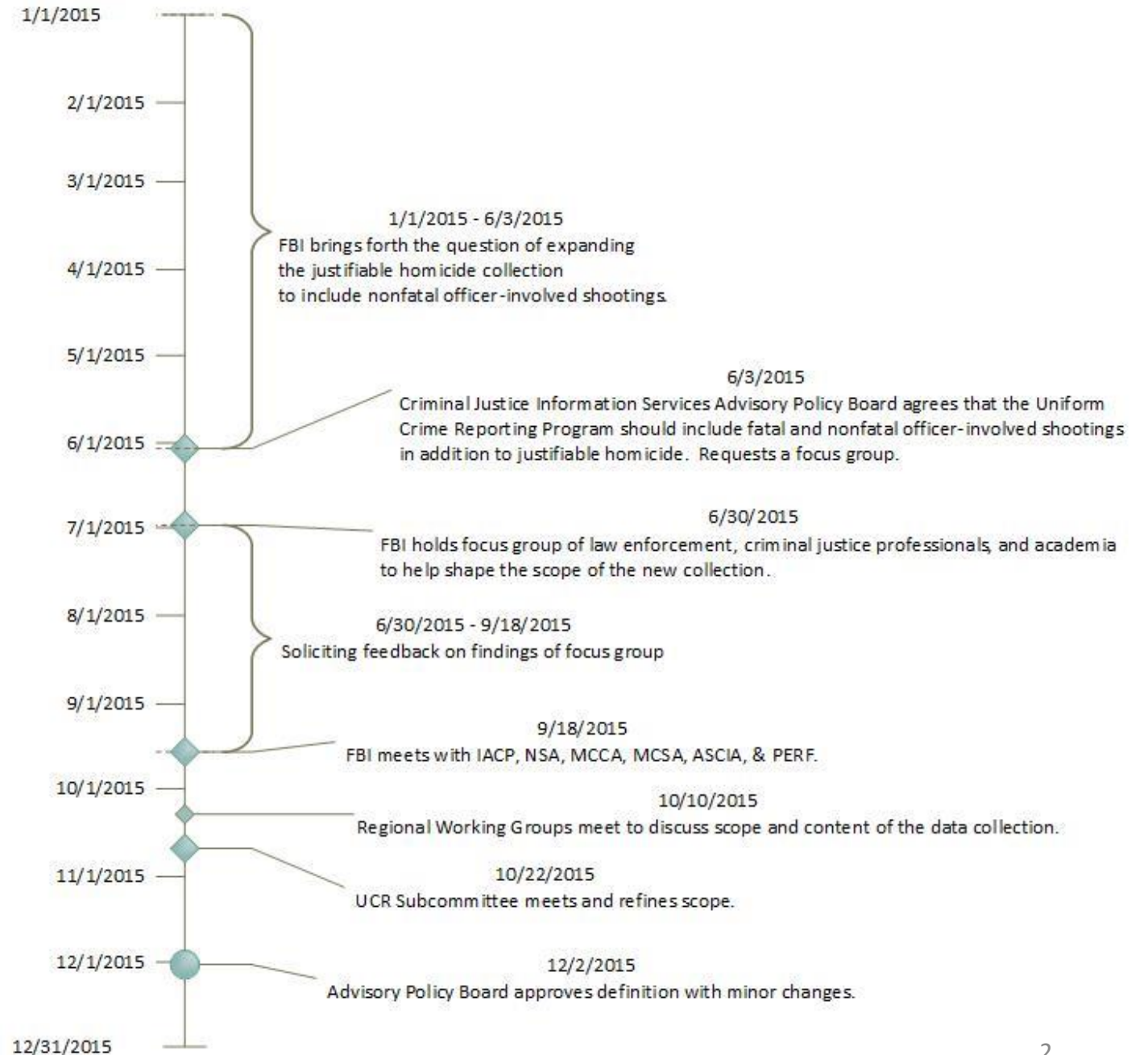
Amy C. Blasher, Unit Chief

Federal Bureau of Investigation (FBI)
Criminal Justice Information Services (CJIS) Division
Uniform Crime Reporting (UCR) Program
Crime Data Modernization (CDM)

Timeline

In late 2014, the Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program initiated discussions regarding the lack of information on law enforcement use of force—especially when the use of force is nonfatal.

The FBI UCR Program brought the issue to its Criminal Justice Information Services (CJIS) Advisory Policy Board (APB) in January 2015.



APB Recommendations - Fall 2015

RECOMMENDATION 1

“The APB recommends the collection and reporting of use of force by a law enforcement officer (as defined by LEOKA) to the FBI. The collection and reporting would include use of force that results in the death or serious bodily injury of a person, as well as when a law enforcement officer discharges a firearm at or in the direction of a person. The definition of serious bodily injury will be based, in part, upon 18 USC Section 2246 (4). The term ‘serious bodily injury’ means bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.”

APB Recommendations - Fall 2015

RECOMMENDATION 2

“The APB recommends collection of data elements included in the Death in Custody Reporting Act and other data elements as determined by a Task Force, to include at a minimum:

- Age, sex, race, ethnicity, height, and weight of the officer(s)
- Age, sex, race, ethnicity, height, and weight of the subject(s)
- Date and time of the incident
- Location of the incident [location codes from the NIBRS]
- Injury/Death of subject(s) [gunshot wound/apparent broken bones/possible internal injury/severe laceration/loss of teeth/other major injury/death]
- Officer(s) injured [yes/no]
- Officer injury type(s) [apparent broken bones/possible internal injury/severe laceration/loss of teeth/other major injury/unconsciousness/death]

APB Recommendations - Fall 2015

RECOMMENDATION 2, con't

- Reason for initial contact between subject and officer [request for response to criminal or suspicious activity/request for medical, mental health, or welfare assistance/routine patrol other than traffic stop/traffic stop/warrant service/other/unknown]
- Subject(s) resisted [yes/no]
- Was the threat of force by the subject(s) directed to the officer or to another party?
- Type of subject resistance/weapon involvement
- Apparent physical impairment of the subject (Yes/No/Unknown)
- Was the subject(s) armed or believed to be armed?
- Type of force used to cause injury or death [firearm/conducted energy device (Taser)/explosive device/pepper or OC spray/baton or blunt instrument/personal weapons/other] ”

APB Recommendations - Fall 2015

RECOMMENDATION 3

“The APB recommends the creation of a separate collection mechanism under the FBI CJIS for the reporting of use of force data. The new data collection will be maintained separately by the national UCR Program and apart from the criminal incident and offense information. CJIS Systems Officers, in consultation with UCR Program Managers, will determine if agencies within their jurisdiction may submit directly to the FBI. UCR Programs will have timely and on-going access to all data submitted directly to the FBI.”

APB Recommendations - Fall 2015

RECOMMENDATION 4

“The LEOKA definition of a law enforcement officer be revised to include military and civilian police and law enforcement officers of the Department of Defense.

The FBI will collaborate with DoD to establish criteria for inclusion of applicable military and civilian police and law enforcement.”

Use of Force Task Force Members

- Douglas Middleton, Chair
- Pam Scanlon, International Association of Chiefs of Police
- Darrel Stephens, Major Cities Chiefs Association
- Robert Gaultieri, Major County Sheriffs' Association
- Larry Amerson, National Sheriffs' Association
- Vernon Keenan, Association of State Criminal Investigative Agencies
- Sean Goodison, Police Executive Research Forum
- Gina Hawkins, National Organization of Black Law Enforcement Executives
- Derek Veitenheimer, Association of State UCR Programs
- Francis Bradley, Tribal Representative
- Jennifer Armstrong, Federal Representative
- Robert Sage, Local Representative
- Brian Wallace, Local Representative

Work of the Use of Force Task Force

- The Task Force was established in January 2016 and has met on four occasions (January, March, May, and August)
- Worked through important questions regarding data elements, reporting policy, publication strategy, and marketing
- A final set of recommended data elements was sent to the FBI Director via letter

Early Decisions to Improve the Data Collection on Use of Force Events

- Will not ask for information related to whether the use of force was justified or within policy.
- Will focus on the types of information that is typically known soon after an event
- Will be collected separately from NIBRS or any other crime data submission to the FBI UCR Program
 - Technical-related reasons
 - Program-related

Use of Force Data Collection Data Elements

Gray – Initial APB-Recommended Data Elements

Blue –Task Force Additions

Data Elements—Incident Information

- Date and time of the incident
- Total number of officers who applied actual force during time of incident
- Number of officers from your agency who applied actual force during time of incident
- Location of the incident [physical location acceptable through address or latitude/longitude]
- Location type of the incident [location codes from the NIBRS]

Data Elements—Incident Information (con't)

- Did the officer(s) approach the subject[s]? [Y/N/Pending/Unknown]
- Was this an ambush incident? [Y/N/Pending/Unknown]
- Reason for initial contact between subject and officer [response to unlawful or suspicious activity/medical, mental health, or welfare assistance/routine patrol other than traffic stop/traffic stop/warrant service/service of a court order/mass demonstration/follow up investigation/other/unknown]
 - If this was due to “unlawful or criminal activity,” what were the most serious reported offenses committed by the subject prior to or at the time of the incident? [NIBRS offense codes drop down, 3 boxes]
 - If applicable, NIBRS (or local) incident number of report detailing criminal incident information on subject and/or assault or homicide of law enforcement officer.
- If incident involved multiple law enforcement agencies, case numbers for the local “use of force reports” at the other agencies.

Data Elements—Subject Information

- Age, sex, race, ethnicity, height, and weight (with range of values) of the subject(s)
- Injury/Death of subject(s) [gunshot wound/apparent broken bones/possible internal injury/severe laceration/loss of teeth/other major injury/unconsciousness/death/pending/unknown]
- Type(s) of force used connected to serious bodily injury or death [firearm/electronic control weapon (Taser)/explosive device/pepper or OC spray/baton/**impact projectile**/blunt instrument/hands-fists-feet/**canine**/other/pending/unknown]
- Subject(s) resisted? [Y/N/Pending/Unknown]

Data Elements—Subject Information (con't)

- Was the threat by the subject(s) directed to the officer or to another party?
[Officer/Other party/Pending/Unknown]
- Type(s) of subject resistance/weapon involvement [threatened officer/threatened others/threatened self/active aggression/edged weapon/firearm/vehicle/chemical/electronic/ verbal/passive resistance/resist being handcuffed or arrested/attempt to escape or flee from custody/none]
- Apparent or known impairment/physical conditions of subject?
[Y/N/Pending/Unknown]
 - If Y, indicate which [mental health/alcohol/drugs/unknown]
- At any time during the incident, was the subject(s) armed or believed to be armed with a weapon? [Y/N/Pending/Unknown]

Data Elements—Officer Information

- Age, sex, race, ethnicity, height, and weight of the officer(s)
- Officer's years of service as a law enforcement officer (total tenure) [Number of years]
- Full-time? [Y/N/Pending/Unknown]
- Was the officer readily identifiable? [Y/N/Pending/Unknown]
- Was the officer on duty at the time of the incident? [Y/N/Pending/Unknown]
- Did the officer discharge a firearm? [Y/N/Pending/Unknown]
- Officer(s) injured [Y/N/Pending/Unknown]
- Officer injury type [gunshot wound/apparent broken bones/possible internal injury/severe laceration/loss of teeth/other major injury/unconsciousness/death/pending/unknown]

Use of Force Data Collection Conceptual Design for the Methodology of Reporting

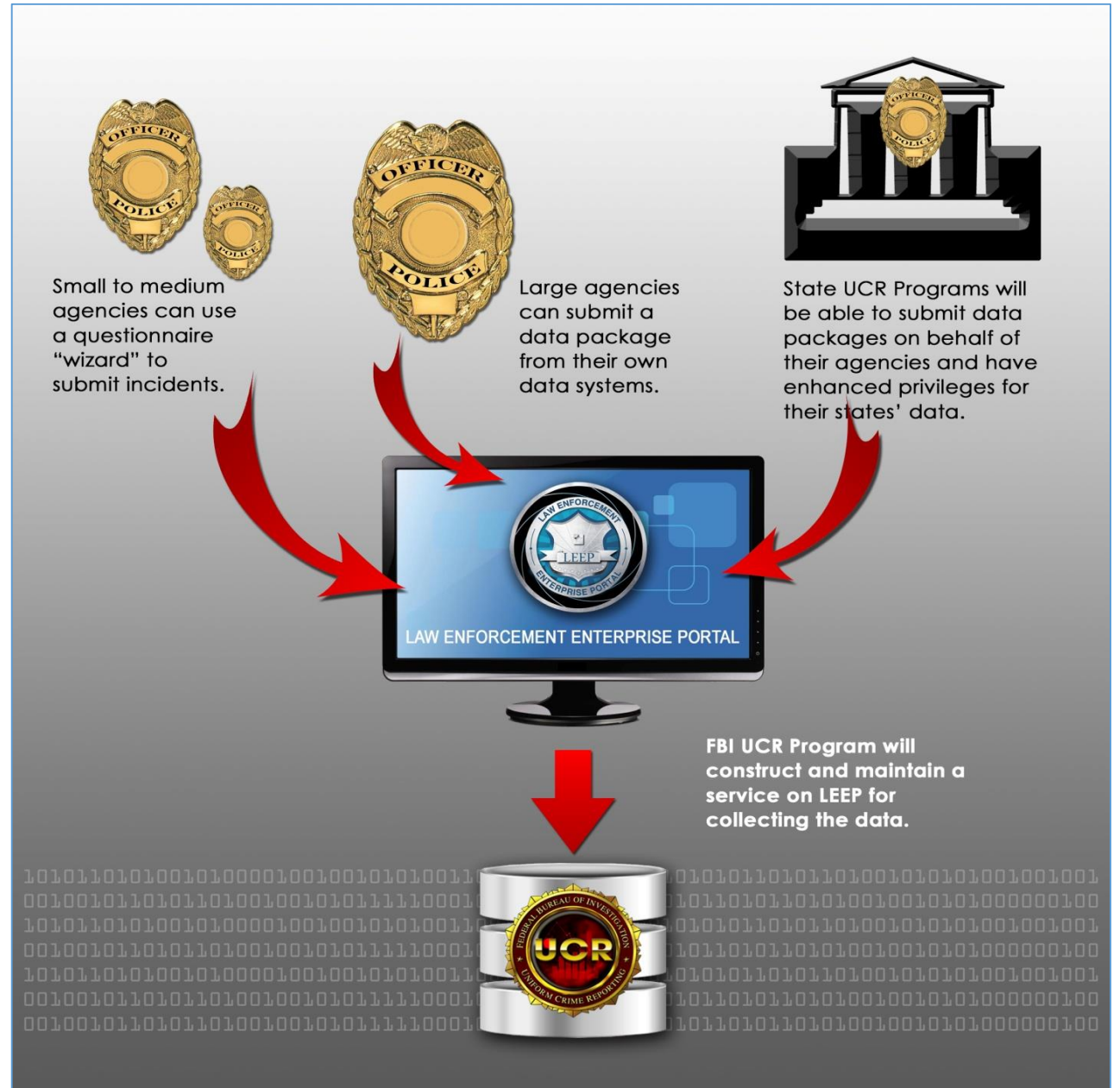
Responsibilities for Reporting Use of Force Data

- A separate collection mechanism under the FBI CJIS Division will be created for the reporting of Use of Force data.
- Each employing agency will be responsible for reporting their own officer information connected to incidents that meet the criteria of the data collection.
- FBI CJIS Division will coordinate with law enforcement agencies to deconflict any potential duplicate reporting with multiple agencies and compile information in order to provide for a complete picture of incidents that involve multiple agencies involved in use of force incidents.

Conceptual Design - Reporting from Agencies and State Programs to FBI

Based upon APB recommendations approved by the FBI Director, State CJIS Systems Officers (CSO), in consultation with their respective state UCR program managers, will determine whether their states' agencies will directly report their use of force incidents to the FBI UCR Program.

The proposed system will allow for direct reporting with no state program management, direct reporting with state program management, and batch submission of data from a state UCR program.



Web Service on Law Enforcement Enterprise Portal (LEEP)

Initial intake of
data is currently
set for mid-
January 2017

An official website of the United States Government

National Use of Force Data Collection

Home | My Queue | My Incidents | Create New Incident | Logoff | Help

[Continue](#)

Incident Information

Agency ORI for reported incident (Required)

Agency case number (This number is requested to assist in tracking incidents through the data collection. It will not be released in its original format to the public.)

Date of the incident (mm/dd/yyyy)

Time of the incident (24-hour time HHMM) For example: 13:28
Hour Minute

[Continue](#)

Web Services on LEEP - Subject Data

Information about
multiple subjects
can be entered if
needed.

Subject 1

Demographics Description Impairment Threat Resist Force Injury Decedent

Sex of subject

Male

Race and ethnicity of subject (Select all that apply.)

- Hispanic or Latino
- American Indian or Alaska Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Pending further Investigation
- Unknown/Not reported

Complete

Officer 1

Demographics Description Service Response Injury

Age of officer at time of incident

42

Height of officer For example: 6 2

Feet Inches

Pending further investigation

Weight of officer

Pending further investigation

Complete

Web Services on LEEP – Officer Data

The officer information will be collected in a similar fashion as the subject information.

Conceptual Design for Publication and Dissemination

- Two primary audiences
 - Law Enforcement via the Law Enforcement Enterprise Portal (LEEP)
 - Public via the public website
- Law enforcement publications are proposed to occur quarterly
- Publications for the general public will be semi-annual
- Both will focus upon “dashboards” and highly-visual publications
- Context will be provided for both audiences—both with narrative description and contextual data

Marketing Strategy

- Work closely with the National and State Law Enforcement Organizations
 - Make language available for letters from law enforcement organizations
 - Produce video providing information on what the collection entails and how it benefits law enforcement
 - Provide materials to help standardize the message and explain the data collection to law enforcement (e.g., “elevator speeches”)



The screenshot shows the FBI website's 'SERVICES' section for 'National Use-of-Force Data Collection'. The page features a video player with a red play button and the text 'Use of Force' overlaid on a background of police lights. Below the video, there is a section titled 'National Use-of-Force Data Collection' with a paragraph of text explaining the initiative. The text states: 'Police-involved shootings and use of force have long been topics of national discussion, but a number of high-profile cases in which subjects died during arrests or while in police custody have heightened awareness of these issues in recent years. The opportunity to analyze information concerning use-of-force incidents and to have an informed dialogue is hindered by the lack of nationwide statistics. To address the issue, representatives from major law enforcement organizations have been working in collaboration with the FBI to develop a national use-of-force data collection. With a national data collection, data users can view use-of-force incidents involving law enforcement from a nationwide perspective. The goal of the resulting statistics is not to offer insight into single use-of-force incidents but to provide an aggregate view of the incidents reported and the officers, subjects, and circumstances surrounding the incidents. The data collected will focus on information that is readily known and can be reported within the first few days after a use-of-force occurrence. Statistical reports will emphasize the collective nature of the data and will not assess whether the officers involved in use-of-force incidents acted lawfully or within the bounds of department policy.' Below this text is a heading: 'What data will be collected about use of force?'. On the right side of the page, there is a sidebar with an 'Overview' section containing links: 'Key events in the Development of a National Use-of-Force Data Collection', 'About the National Use-of-Force Data Collection Task Force', 'Use-of-Force Definition and Data Elements', 'Frequently Asked Questions', and 'Contact Information'.

- Developing informative resources
 - Use of Force Video
 - Use of Force Website
 - Frequently Asked Questions
 - Printable Resources
 - Expertise and Support
 - Training

Expectations for State Program Managing the State Data Collection

- Data Contributions
- Data Quality and Validation
- Any data provided by the State Program can be published by the FBI.
- Coordination of communications with agencies through the State Program rather than directly from FBI to the reporting agency.

Planning Considerations for State Program Managers

- Technical capabilities are being designed to minimize resource impacts; however, some resource impacts are anticipated.
 - Data Quality and Validation
 - Data Management
- The initial system release in January 2017 will provide minimal functionality. Future releases will routinely deliver enhanced features and functionality.
 - Initial Operating Capability
 - Future Releases
- The FBI encourages feedback on the system use and design to continually improve the features and functions of the system and the collected data.
 - Scrum methodology for agile software development

Next Steps

- Pre-testing of data collection instrument—including a canvass of the State Programs
- Quarterly State UCR Program Teleconference
- Enrollment process in anticipation of January 2017 Pilot
- Technical specifications by the end of the year
- Pilot study anticipated to start with beginning of collection in January 2017



Points of Contact



For information or assistance with Use of Force data reporting or the FBI's Crime Data Modernization Initiative

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