

**Sheriff**  
John F. Matz

**Chief Deputy**  
Todd A. Christopherson



# Winnebago County Sheriff

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4311 JACKSON STREET  
OSHKOSH, WISCONSIN 54901  
(920) 236-7300 (920) 727-2888  
JAIL (920) 236-7380  
ADMINISTRATION FAX (920) 236-7333  
RECORDS FAX (920) 236-7302

TO: Sheriff Matz and Chief Deputy Christopherson

FROM: Lt. DalleNogare

DATE: January 31<sup>st</sup>, 2020

RE: Annual Use of Force Report – 2019

Pursuant to General Order 5.05, USE OF FORCE/ REPORTING AND REVIEW, all use of force reviews conducted for 2019 incidents in the Field Services Divisions have been reviewed. Field Services encompasses the Patrol Division, Detective Division, and Special Teams for the Sheriff's Office. A use of force review is completed for any of the following incidents:

- Reported injuries to a suspect based on use of force
- An Electronic Control Device (ECD) is pointed or discharged
- Chemical Agents are utilized (Oleoresin Capsicum)
- Intermediate weapons are used
- K-9 units are used as force
- Specialty impact munitions are pointed or deployed
- Vehicle Pursuits and/or induce or force to stop techniques are used
- A firearm is pointed or discharged

Reviews are conducted to ensure that a deputy's actions are consistent with Winnebago County Sheriff's Office General Orders and the State of Wisconsin Defensive and Arrest Tactics (DAAT) system.

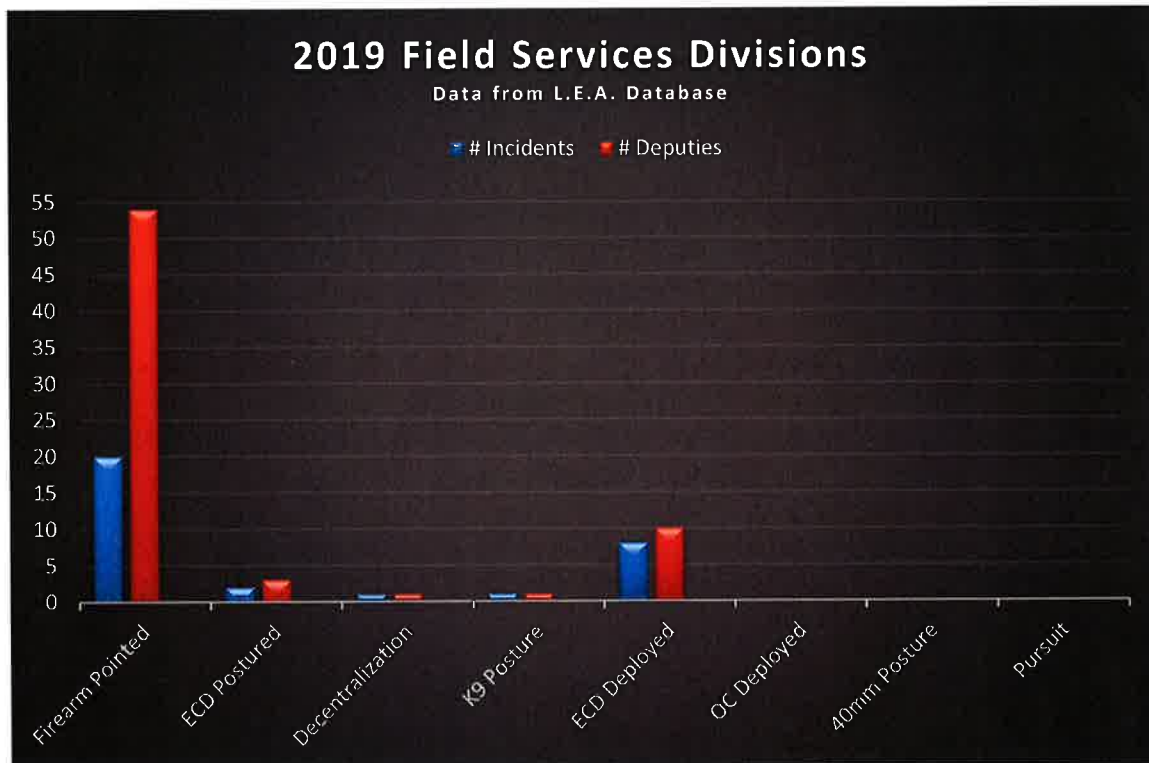
The information utilized for this report was collected from the L.E.A. Data Technologies software used to document use of force incidents for the Sheriff's Office. Individual reviews were conducted based on submitted use of force reporting forms and the

associated incident reports. 32 use of force reviews were conducted in 2019 for incidents that met the reporting criteria. This is a 19% increase from the 27 incidents for which a use of force review was completed in 2018. The 27 reviews in 2018 were an 8% increase over the 25 use of force reviews in 2017.

During 2019, deputies from the Field Services Divisions of the Sheriff's Office responded to 49,927 incidents according to the Computer Aided Dispatch (CAD) records. 32 of those incidents, or .065%, resulted in force being used.

A total of 69 deputies used force during the 32 incidents in 2019. This figure also includes actions taken by members of the multi-jurisdictional SWAT team whose primary employment is with another agency. The following chart illustrates the types of force utilized that required a formal review:

Force Option	# Incidents	# Deputies
Firearm Pointed	20	54
ECD Postured	2	3
ECD Deployed	8	10
O.C. Deployed	0	0
40mm Launcher Postured	0	0
Decentralization	1	1
Pursuit	0	0
K9 Posture	1	1
<b>Total</b>	<b>32</b>	<b>69</b>



While the total number of incidents reported in the charts is 32, 20 incidents involved multiple deputies taking different use of force actions. If the use of force actions taken were done independently, the use of force actions would have necessitated a use of force review. The individual actions were documented for statistical data purposes.

Pointing of firearms was the most common use of force used by the Field Services division in 2019. 63% of the 32 incidents for which a review was conducted involved a firearm, or multiple firearms, being pointed at a subject or subjects.

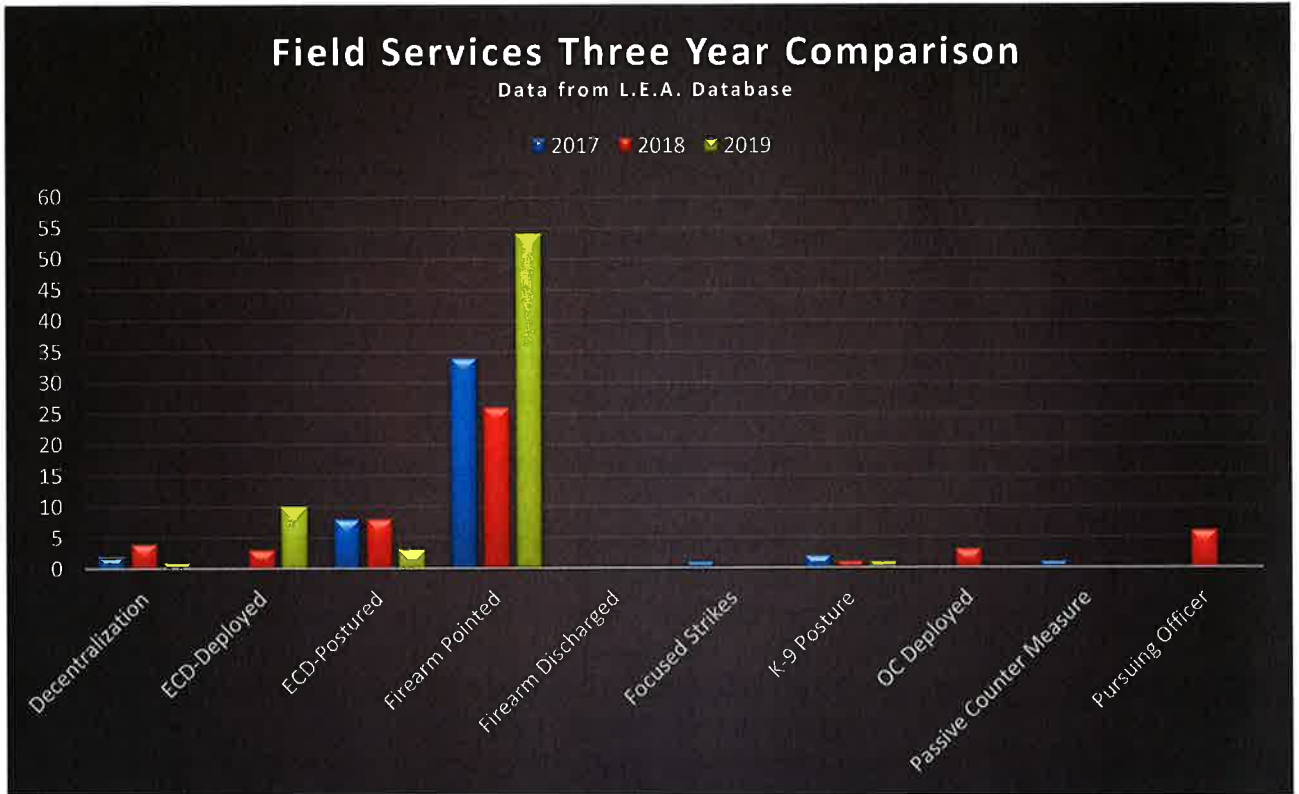
That percentage is less significant when considered in proper context.

- 10 deputies pointed firearms at subjects during a search for the subjects
- 15 deputies pointed firearms at subjects involved in high risk traffic stops
- 11 deputies pointed firearms at subjects involved in domestic disturbances
- 2 deputies pointed a firearm at a subject involved in a weapons complaint
- 10 deputies pointed firearms at subjects involved in a suspicious situation
- 4 deputies pointed a firearm at a subject involved in a search warrant
- 2 deputies pointed firearms at a subject involved in a suspicious person

The number is inflated based on multiple deputies responding to the same situations. There were 15 incidents that resulted in deputies pointing firearms at the suspect, or multiple suspects. The threat level presented by the subject, or subjects, involved in the incidents justified the pointing of firearms. Of the 20 reviews completed for incidents in which deputies pointed a firearm, all were deemed justified.

To further evaluate use of force for the Sheriff's Office, the following chart lists all actions taken by deputies for the previous three years. The most prevalent use of force option is the pointing of firearms each year.

<b>Force Option</b>	<b>2017 Field Services</b>	<b>2018 Field Services</b>	<b>2019 Field Services</b>
Decentralization	2	4	1
ECD-Deployed	0	3	10
ECD-Postured	8	8	3
Firearm Pointed	34	26	54
Firearm Discharged	0	0	0
Focused Strikes	1	0	0
K-9 Posture	2	1	1
OC-Deployed	0	3	0
Passive Counter Measure	1	0	0
Pursuing Officer	0	6	0
<b>Total</b>	<b>48</b>	<b>51</b>	<b>69</b>



Over the previous three years, pointing of firearms was the most common and consistent use of force action for the Field Services divisions, with an average of 38 per year. During 2019 there was an increase from 2018 of multiple deputies pointing their firearms at subjects during the course of their duties. The following statistics show the increase of multiple deputies pointing their firearms, 5 to 15 during high-risk traffic stops, 9 to 10 during searches for subjects, 2 to 11 during domestic disturbances, and 0-10 during suspicious situations.

Multiple deputies utilized the Disturbance Resolution Model, the approach considerations used by deputies were the decision-making process, tactical deployment, and tactical evaluation (threat assessment opportunities), for the above-mentioned incidents. The incidents required multiple deputies to safely control and contain the incidents while apprehending the subject or subjects involved in the incidents to minimize injury, great bodily harm, or death to the subjects and the deputies.

One category that must be noted are the, Electronic Control Device (ECD deployments and posturing). Deputies utilizing the ECD in deployments and posturing are continuing to be the second most consistent use of force for the previous three years. The use of force actions have all been deemed reasonable based on the specific details of the incident.

One of the 32 incidents required counseling for the deputy involved. The deputy was counseled and used a reasonable amount of force during the incident. The use of force was justified with counseling, the decision-making process (justification and desirability) of entering a residence without permission was discussed. While at the front door of the residence, the deputy advised the subject he was under arrest for a misdemeanor violation of fleeing an officer. The subject attempted to close the front door and the deputy opened the closed screen door and proceeded to place his boot in between the door jam and the interior door. The deputy decided to enter the residence against the subject's wishes to make an arrest on the misdemeanor charge of fleeing an officer. The decision-making process, (justification and desirability) was discussed with the deputy. The deputy understood the counseling and accepted it as a learning opportunity to prevent future issues. There was no use of force incidents deemed to be outside of policy or unreasonable for the year of 2019.

In conclusion, I do not feel that there are any training or equipment deficiencies, or systematic performance matters that need to be addressed. The Training division will continue to monitor use of force incidents, utilizing them as a guide as new trainings are developed for the agency.

Respectfully Submitted,



Lt. Timothy DalleNogare

