

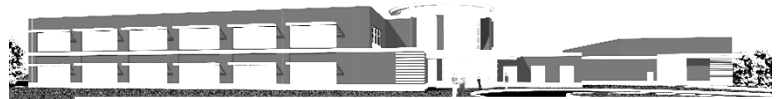
Sheriff
John F. Matz

Chief Deputy
Todd A. Christopherson



Winnebago County Sheriff

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TO: Sheriff Matz and Chief Deputy Christopherson

FROM: Lt. Eichman

DATE: January 5, 2024

RE: Annual Use of Force Report (Corrections) – 2023

Pursuant to General Order 5.05, USE OF FORCE/ REPORTING AND REVIEW, all use of force reviews conducted for 2023 incidents in the Corrections Division have been reviewed. 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 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
- While not specified, use of force reviews are completed on any use of force deemed to necessitate further analysis

Reviews are conducted to ensure that a deputy's actions are consistent with Winnebago County Sheriff's Office General Orders, applicable federal, state and local laws, and the State of Wisconsin Defensive Tactics 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 as well as the

associated incident reports and any captured video footage. Fifteen (15) use of force reviews were conducted in 2023 for incidents that met the reporting criteria. This is a 44% decrease from the 27 incidents for which a use of force review was completed in 2022. The 27 reviews in 2022 was a 125% increase from the 12 use of force reviews completed in 2021.

The decrease in use of force reviews in 2023 is accounted for due to the Winnebago County Sheriff's Office no longer considering an Electronic Control Device (ECD) Posture, or pointing of the device, as a use of force in 2023. The decision to consider an ECD Posture no longer a use of force was made after careful consideration. This change does put the Sheriff's Office in line with other area law enforcement agencies regarding how ECD usage is reviewed. While the posturing of an ECD is no longer reviewed as a use of force, deputies are still required to document each incident in which an ECD is pointed at an individual in a long form report.

The Sheriffs' Office saw a decrease in the number of use of force reviews where an inmate claimed injury as a result of a use of force incident involving deputies. In total, there were three (3) incidents where an inmate sustained or alleged injury. This is a 63% decrease from the eight (8) sustained or alleged injuries reported by inmates in 2022. The three incidents reported in 2023 resulted in minor injury which included complaint of shoulder pain, scratches to wrists, and bleeding from a fingernail. At the conclusion of all incidents in which an inmate sustained or alleged an injury a medical assessment was completed by a Jail Health Services Unit Nurse. None of these incidents required additional medical attention or transport to an area hospital.

In all incidents in which an inmate sustained or alleged an injury the force used by deputies was found to be objectively reasonable.

During 2023, deputies from the Corrections Division of the Sheriff's Office recorded 966 formal incidents according to Computer Aided Dispatch (CAD) records. This constitutes a 14% increase in CAD recorded incidents from 2022. Fifteen (15) of those incidents, or 1.6%, resulted in force being used. In comparison, the Corrections Division use of force percentage for 2022 was 3.2%.

A total of 28 deputies used force during the 15 incidents in 2023. The following chart illustrates the types of force utilized that required a formal review.

Note: several incidents had multiple uses of force meeting the Sheriff's Office's General Order regarding use of force review. As such, the numbers below are higher than the total 15 use of force incidents noted above:

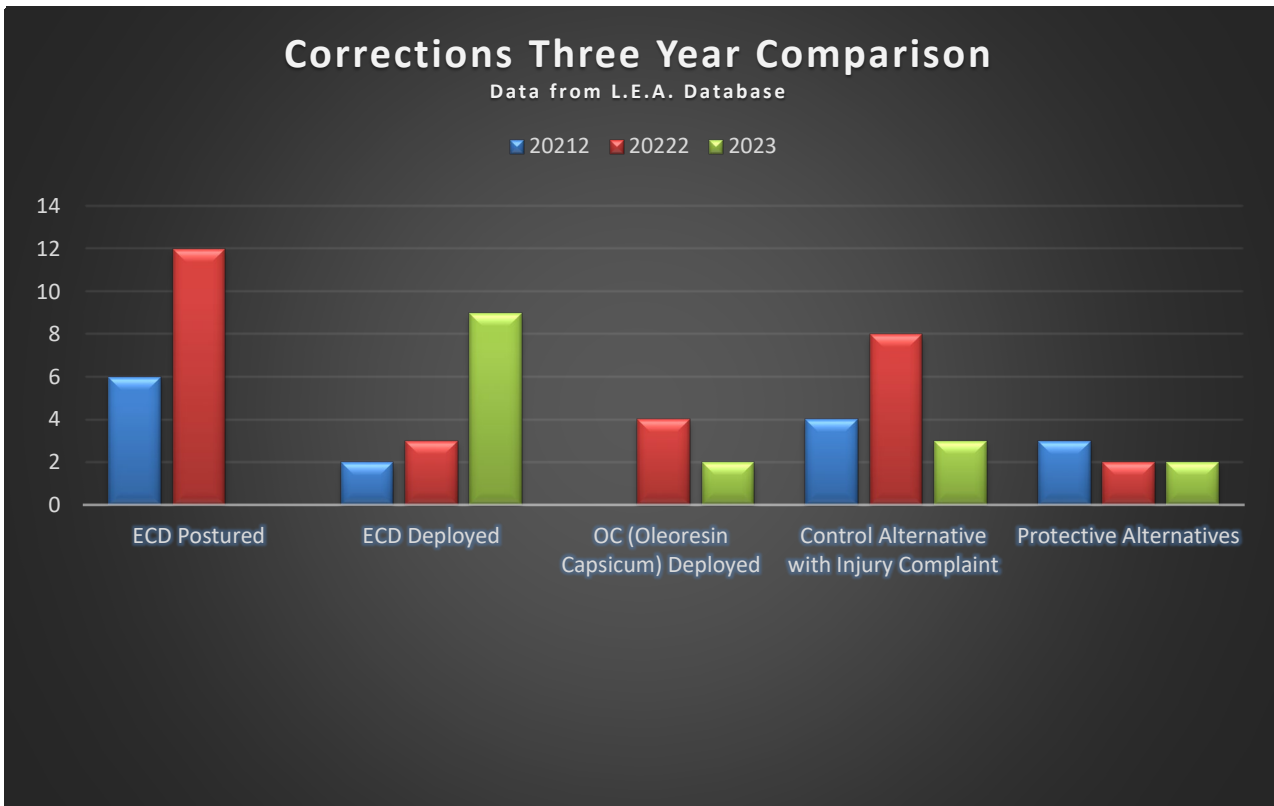
Force Option	# Incidents	# Deputies
ECD Deployed	9	9
Control Alternative w/ injury	3	15
Protective Alternatives	2	2
Chemical Agent Deployed	1	1
Chemical Munition Deployed	1	1
TOTAL	16	28



The most common force used in the Corrections Division in 2023 was an Electronic Control Device (ECD) deployment. Of the 15 uses of force for which a review was conducted, 60%% involved a deputy deploying an EDC towards a physically resistive person.

To further evaluate use of force for the Sheriff’s Office Corrections Division, the following chart lists all actions taken by deputies for the previous three years.

Force Option	2021 Corrections	2022 Corrections	2023 Corrections
ECD Postured	6	12	N/A
ECD Deployed	2	3	9
OC (Oleoresin Capsicum) Deployed	0	4	2
Control Alternative-Injury Complaint	4	8	3
Protective Alternatives	3	2	2
Total	15	29	16



Deputies utilizing an ECD in deployments and posturing continue to be the most consistent use of force over the previous three years.

One of the fifteen incidents reviewed in 2023 for the Corrections Division required counseling for the deputy involved. This incident involved a deputy posturing with a Taser outside State of Wisconsin Defensive Tactics and Sheriff's Office General Order guidelines. As a result of this incident the deputy received coaching and remedial training on proper Taser use.

The Training Division will continue to monitor use of force incidents utilizing them as a guide to develop new trainings for the agency.

Respectfully Submitted,

Lt. Tim Eichman