



# FORT LAUDERDALE POLICE DEPARTMENT



## RESPONSE TO RESISTANCE 2019 REPORT

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## Message from the Chief of Police



On behalf of the women and men of the Fort Lauderdale Police Department, thank you for taking the time to review our Annual Response to Resistance Report.

Fort Lauderdale is the largest city in Broward County and one of the most popular tourist destinations in the State of Florida. Here at the Fort Lauderdale Police Department, we are committed to building community, reducing crime, and improving the quality of life for our neighbors and visitors.

As your Chief of Police, I am excited by the opportunities we face as a community and invite our neighbors to participate in our efforts to keep the City safe.

We look forward to serving you with respect, integrity, and courage.

**Rick Maglione**  
Chief of Police

Report Created & Edited by:  
Wesley Acosta  
Management Analyst

Captain Michael Dodson  
Executive Officer

# EXECUTIVE SUMMARY

It is the goal of the Fort Lauderdale Police Department to build community and strengthen partnerships with our neighbors to reduce crime and nuisances. It is also the Department's mission to provide a safe and orderly environment in the City through professionalism, dedication, and concern for individual dignity. At times, in the course of performing their duties, officers may encounter individuals who need to be detained for investigation or require arrest after violating the law. During these situations, a police officer may encounter resistance ranging from non-compliance to contentious and aggressive behavior. It is the policy of the Fort Lauderdale Police Department that officers respond to resistance with only the force necessary to effect lawful objectives.

The City of Fort Lauderdale has a residential population of over 180,000 and attracts more than 12 million visitors every year. These numbers continue to grow as the city continues to host popular events such as the Tortuga Music Festival, Riptide Music Festival, and Pride Fort Lauderdale on the Beach. In 2020, the Inter Miami Soccer stadium is set to be fully operational and will attract sports enthusiasts from all over the world.

This report has been produced in an effort to build trust and provide transparency regarding the activities of the Fort Lauderdale Police Department. It outlines the number of incidents involving officers responding to resistance. It includes the responses to resistance and their effectiveness, criminal charges associated, and much more.

**In 2019, the Office of Internal Affairs conducted an administrative review of 862 response to resistance offense/incident reports compared to 838 reports reviewed in 2017. The increase of incident reports reviewed is attributed to increases in arrests (1.4%), calls for service (1.6%) , and Baker Acts (8.0%). DUI incidents also increased from 483 in 2018 to 538 in 2019 (11.4%).**

All responses complied with policy except for one excessive force incident. The officer received discipline and remedial training. Additionally, there were 2 police-involved shootings which are currently under review by the Broward County State Attorney's Office; one resulted in a non-fatal injury to a suspect and the other resulted in the death of the suspect.



# INTRODUCTION



The information presented in this report is intended to provide a summary of the types of incidents and actions by officers when they encountered resistance. In 2016, the Fort Lauderdale Police Department implemented recommendations taken from the President’s Task Force on 21<sup>st</sup> Century Policing. These included fostering stronger, collaborative relationships between our agency and the community we are responsible for protecting. They also promote effective crime reduction strategies and public trust.

Sworn staff has received extensive in-service training focused on de-escalating situations to include Fair and Impartial Policing Training, Crisis Intervention Training (CIT), and Procedural Justice Training. As of December 31, 2019, the Fort Lauderdale Police Department has 184 Officers certified in CIT.

In addition to training, the Fort Lauderdale Police Department continues to conduct youth focus groups to address the issue of overrepresentation of minority youth in Florida’s juvenile justice system. This also provides better understanding of the numerous factors involved during contact with an individual. Body worn cameras are in use to increase the ability of officers to effectively enforce the law, obtain evidence for criminal prosecutions, and document interactions with the public. The cameras increase departmental transparency and improve conduct by all parties during police/public interactions.

In 2019, calls for service increased to 213,904 and the Office of Internal Affairs conducted administrative reviews of 862 incident reports. These reports accounted for 0.4% of all calls for service. In comparison, the Bureau of Justice Statistics reported 2% of individuals who had contact with police in the U.S. experienced use of force<sup>1</sup>.

1. Source: <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6406>,



## 2019 TOTALS



In 2019, **213,904 calls for service** were received. Compared to 2018, there was an **increase of 1.6%**. Calls for service are calls received by dispatch requiring response by a police officer or a police service aide. An increase in calls for service does not mean an increase in crime.

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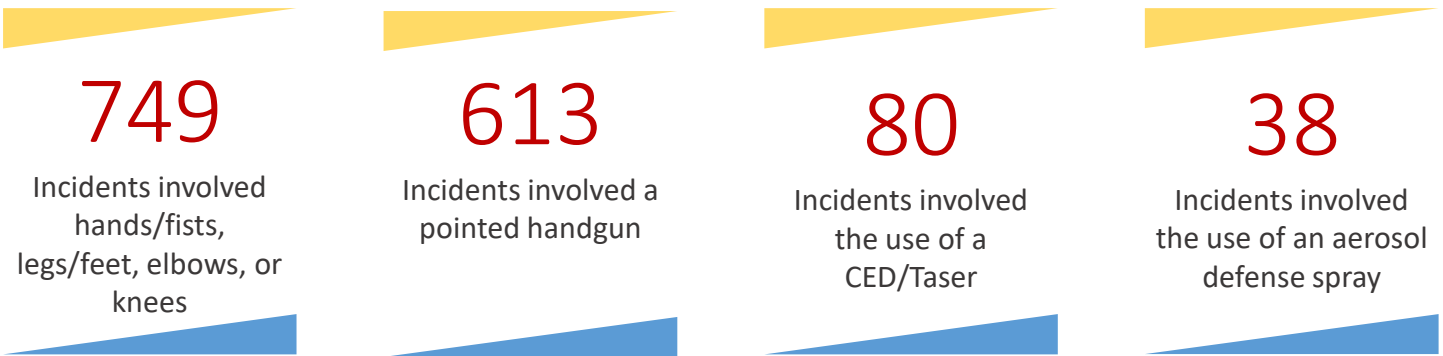
A total of **55,452 citations** were issued during 2019. Citations **decreased 2.3%** from 2018. The top 5 charges were unlawful speed, expired tags, improper insurance, failure to wear a safety belt, and running of stop sign.

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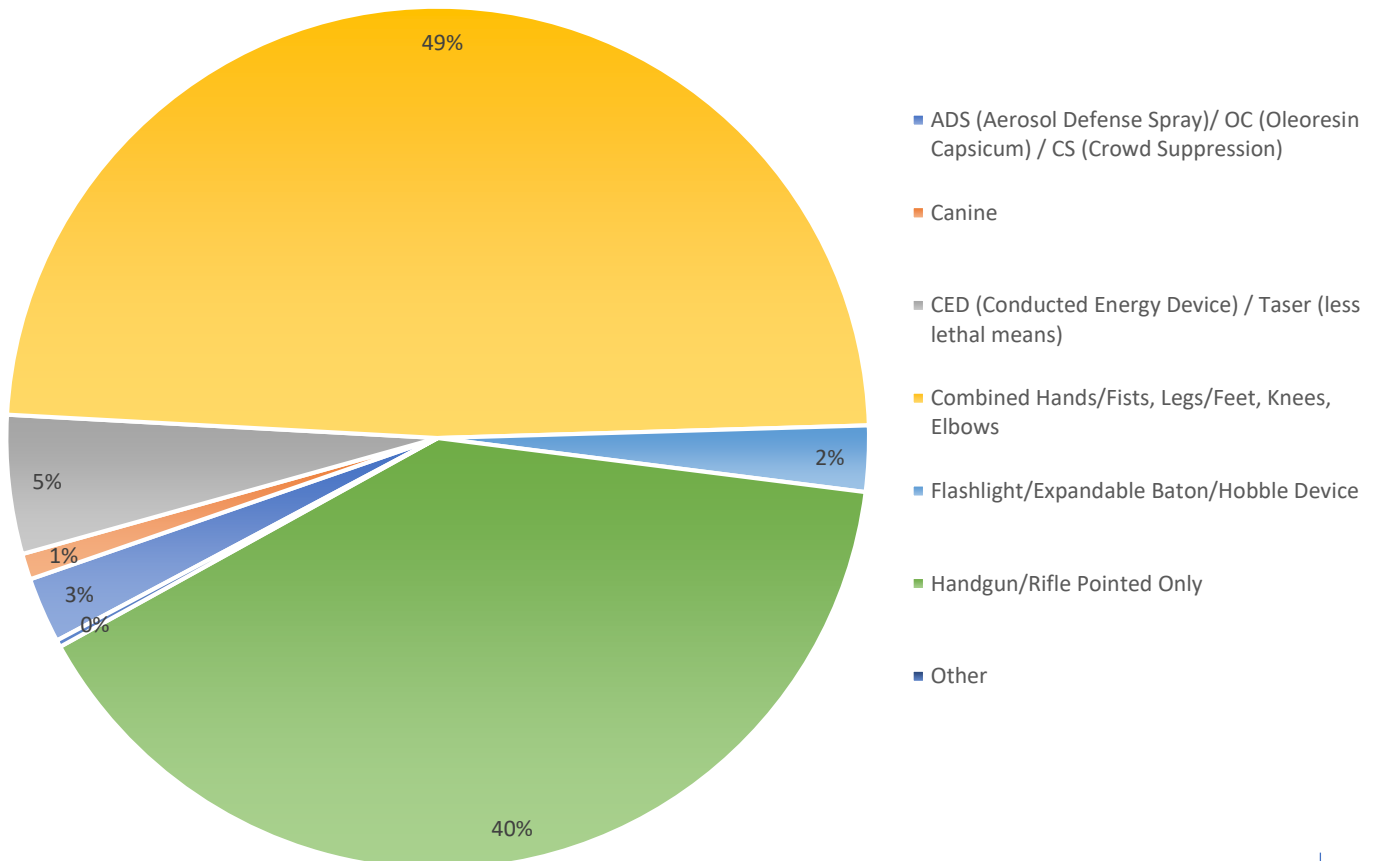


**8,606 arrests** were made in 2019 compared to 8,488 made in 2018 reflecting an **increase of 1.4%**. The top 5 charges were related to driving under the influence of drugs/alcohol charges, possession of narcotics, resisting an officer, vehicle theft, and municipal ordinance violations.

# TYPES OF FORCE USED

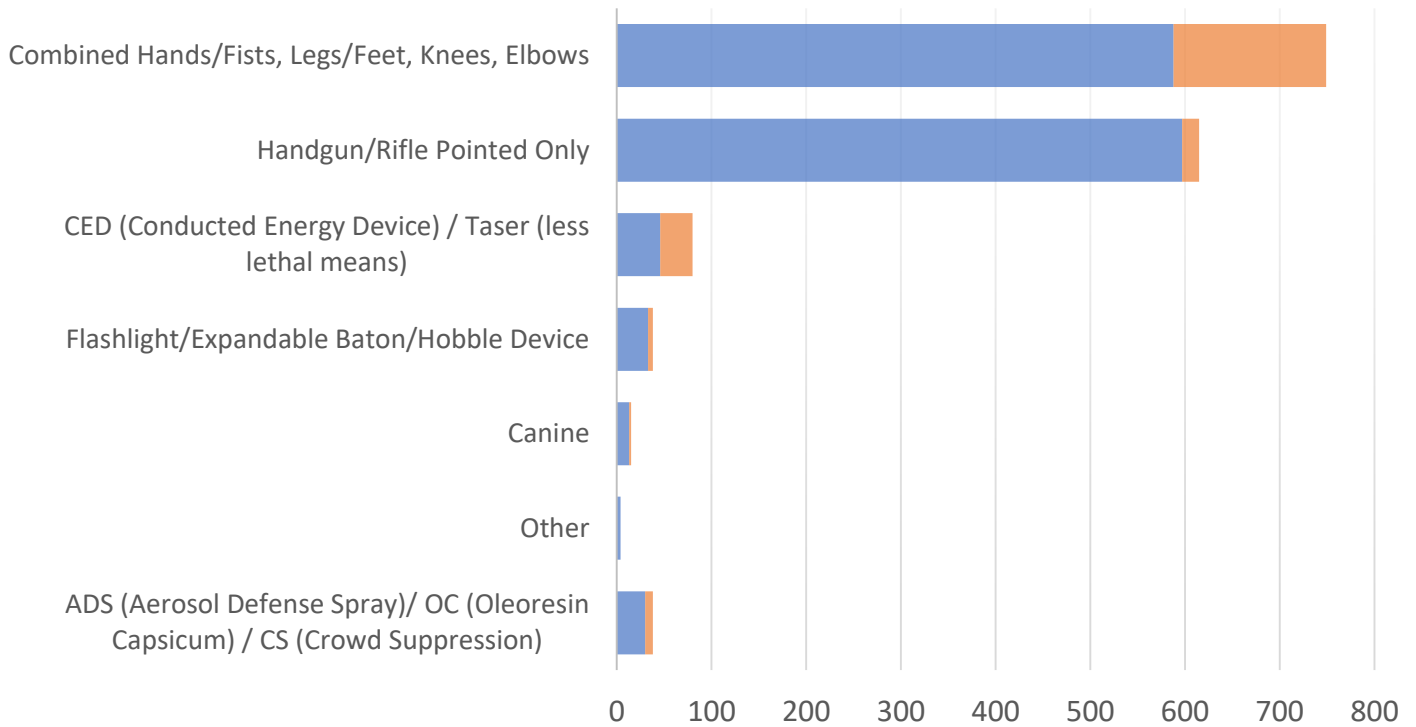


A total of 1,539 responses were used by officers when resistance was encountered. Hands, fists, legs, feet, knees, or elbows accounted for 49% of the responses used in 2019. When an officer encounters a situation in which an individual may bring harm to the officer, themselves, or others, the officer may have to use a firearm (handgun/rifle) to bring the subject under control; however, the firearm is pointed only. This type of force was used in 39.8 % of responses. It is worth noting that while the City experienced the lowest crime rate since 1972 (5,466.7 per 100,000), the violent crime rate increased by 7.2% from 2018 (based on UCR reporting).



# TYPES OF FORCE USED

## RESPONSE TO RESISTANCE EFFECTIVENESS



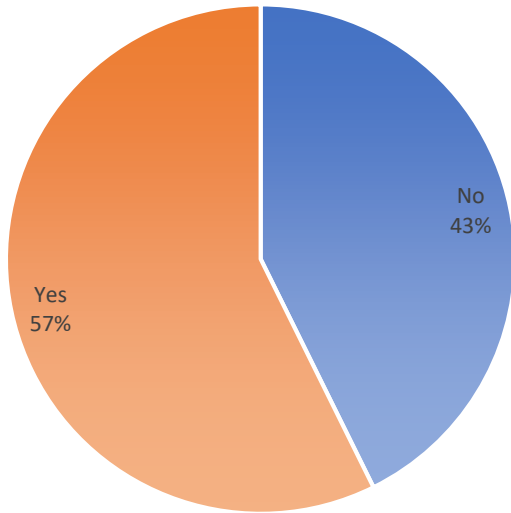
	ADS (Aerosol Defense Spray)/ OC (Oleoresin Capsicum) / CS (Crowd Suppression)	Other	Canine	Flashlight/Expandable Baton/Hobble Device	CED (Conducted Energy Device) / Taser (less lethal means)	Handgun/Rifle Pointed Only	Combined Hands/Fists, Legs/Feet, Knees, Elbows
Effective	30	4	13	33	46	597	588
Non Effective	8	0	2	5	34	18	161

Throughout the course of an officer’s duties, resistance may be encountered in many forms from verbal to physical. While officers are trained to de-escalate these types of situations, they may from time to time need to utilize one or more of the responses above. The use of hands/fists, legs/feet, elbows or knees, proved effective in bringing the subject under control in 38% of the 1,539 responses to resistance; however, this type of response was ineffective in 11% of the incidents. A total of 615 responses involved the use of a pointed handgun/rifle, which proved effective 97% of the time without the need for additional responses.





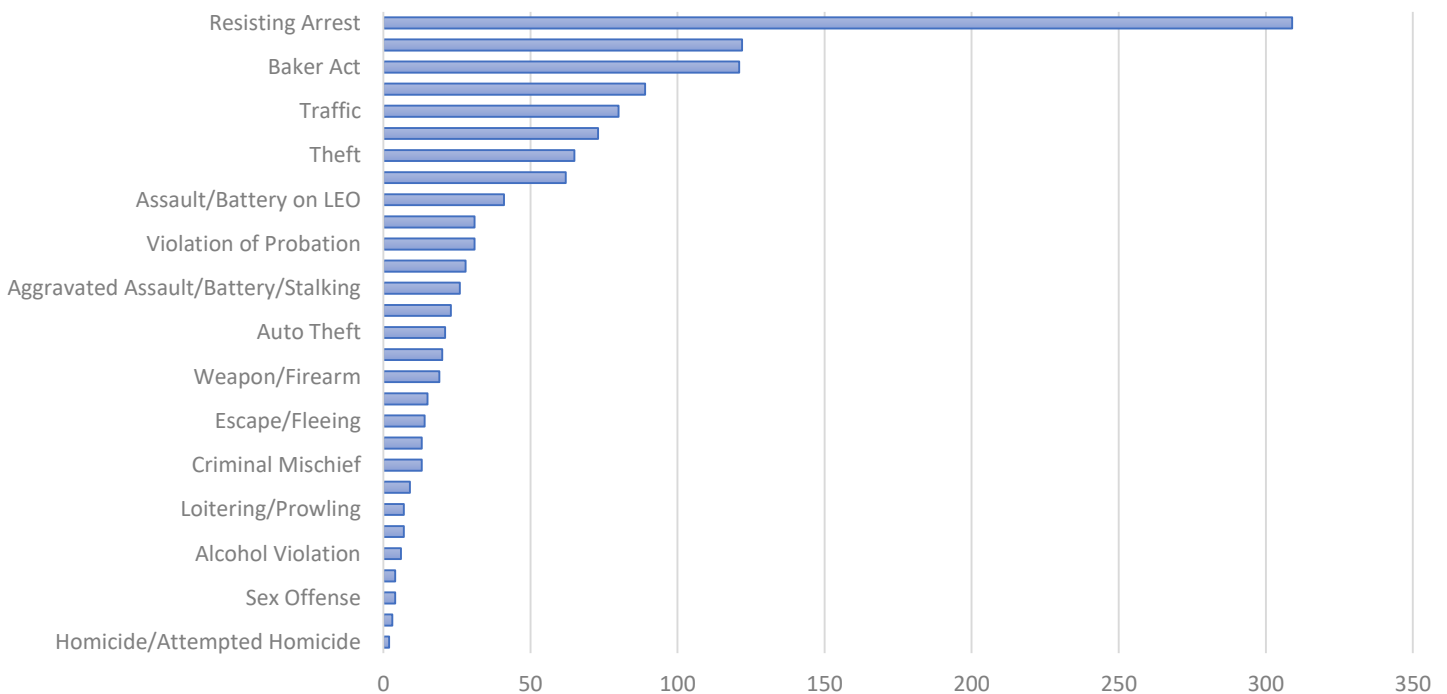
# CHARGES DURING RESPONSE



Individuals arrested in conjunction with the use of force made up 57% (494 individuals) while 43% (368 individuals) were not arrested. A total of 228 individuals were taken to the hospital in conjunction with the use of force; however, 84 were actually injured during the response. Additionally, officers reported injuries in 24 of the 862 response to resistance reports while 8 officers were taken to the hospital in conjunction with these incidents.

The graph below illustrates the charges filed for the 862 response to resistance reports generated by officers in 2019. In many of the incidents, multiple charges applied to the individual. The most frequent charge was resisting arrest making up 24.6% of all the charges. Almost ten percent of charges were drug related while Baker acts increased from last year and accounted for almost 10% of the incidents.

Totals By Charge



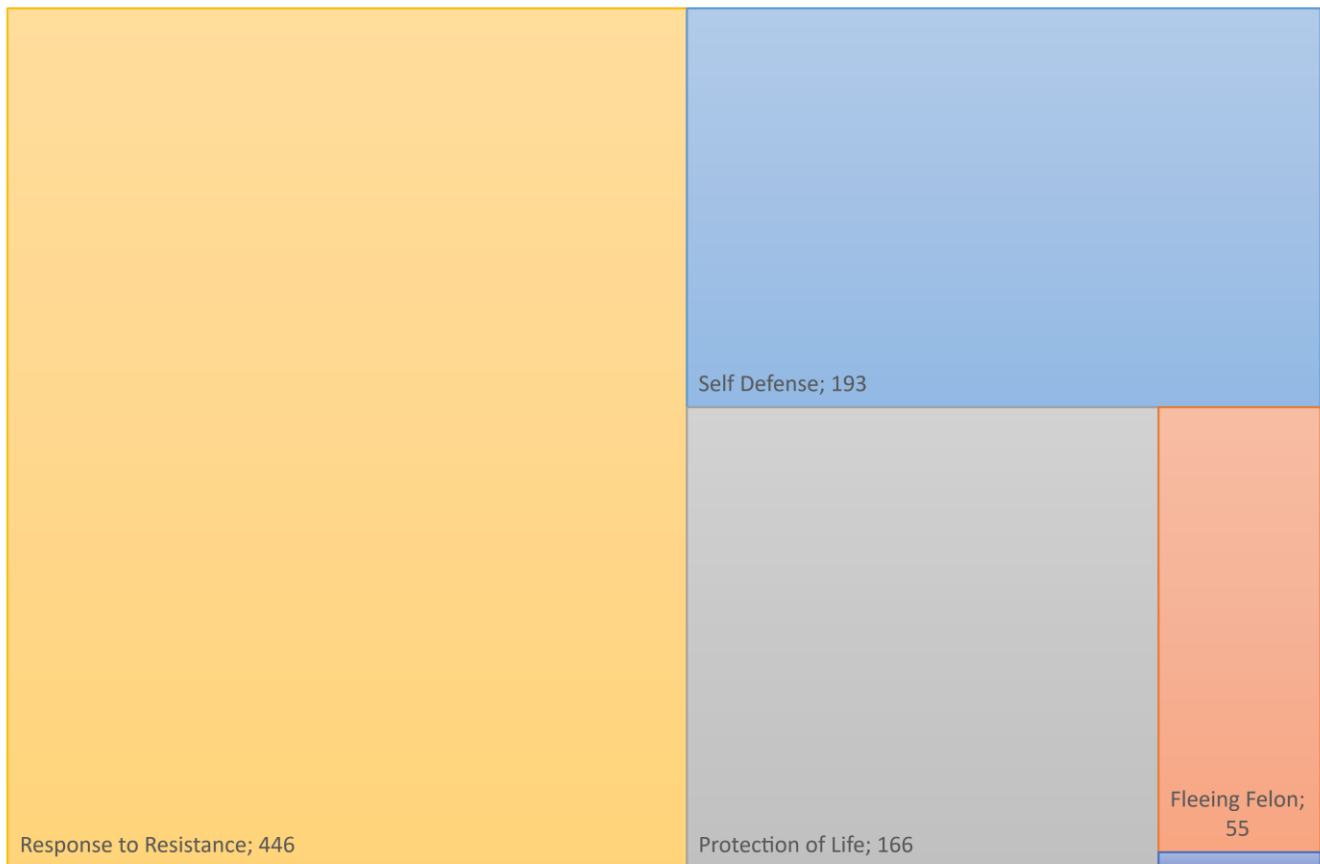
# REASON FOR USE OF FORCE

When considering use of force, it is the policy of the Fort Lauderdale Police Department that members only respond to the level of resistance with a level of response necessary to effect lawful objectives. Three factors are used to determine if the response level is objectively reasonable:

1. How serious is the suspected offense?
2. Is there a physical threat to the officer or anyone else?
3. Is the individual actively resisting or attempting to evade arrest by flight?

In 2019, the top reason for the use of force was for resistance encountered by the officer, making up 52% (446) of incidents. In 19% (166) of incidents, a physical threat to the officer or others (protection of life) deemed it necessary to use an appropriate level of force while 6% (55) of incidents attributed the use of force to an individual attempting to evade arrest by flight. In 22% (193) of incidents, the officer’s use of force was self defense.

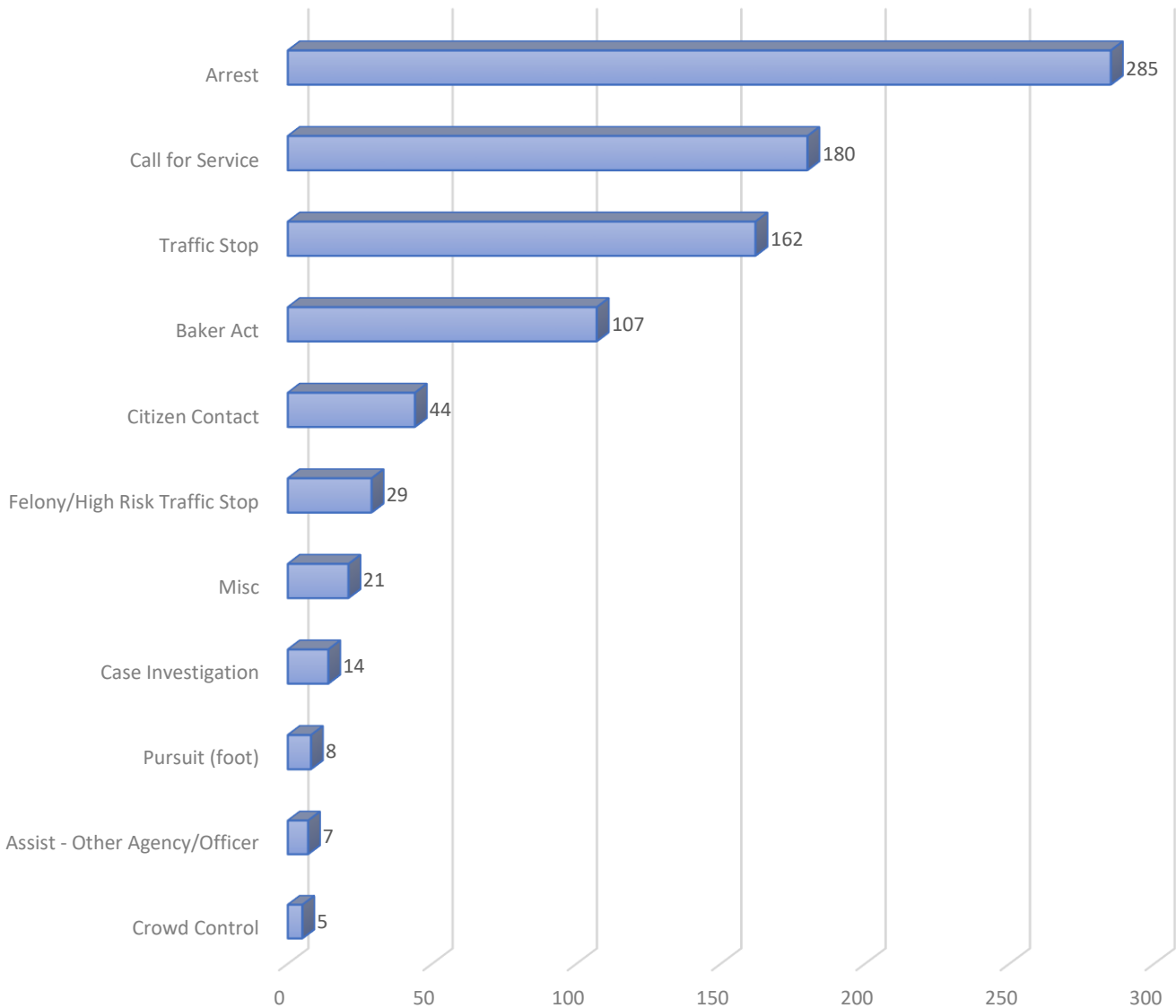
Reason for Use of Force



■ No entry 
 ■ Fleeing Felon 
 ■ Protection of Life 
 ■ Response to Resistance 
 ■ Self Defense

# SERVICES RENDERED

Services being rendered at the time of the response to resistance are illustrated in the graph below. An arrest was being made in 33% of the incidents requiring a response to resistance. In these incidents, the individual displayed a level of resistance during the arrest causing the officer to use an appropriate level of force. In 21% of the incidents, the officer(s) was responding to a call for service when resistance was encountered from an involved individual. Baker acts accounted for 13% of the services being provided when a response to resistance was utilized. Traffic stops, citizen contacts, and felony stops made up 19%, 5%, and 3%, respectively. Miscellaneous responses included searches, pursuits, crowd control, injury preventions, assisting other agencies, and unknown services, which made up a combined 6%.



# MAKING A COMPLAINT

## How do I make a complaint?

Complaints can be made in person, via telephone, or by e-mail directly to the Office of Internal Affairs (IA) or any Department employee. Complaints concerning discourtesy, or inadequate services will generally be forwarded to the employee's command for investigation. The investigation will then be thoroughly reviewed by IA. Complaints concerning unnecessary or excessive force, false arrests, and complaints that are criminal in nature will be retained by IA for investigation. In most situations, a sworn, taped statement will be requested. Remember to simply relay the facts and do not attempt to embellish your complaint. Be prepared to provide the investigator with witness information. You will be treated professionally and with courtesy.

All complaints will be thoroughly examined. There are five possible dispositions:

- **Not Sustained** – There is insufficient evidence to confirm or refute the complaint.
- **Sustained** – The allegation is true. The actions of our employee was inconsistent with the agency's policy.
- **Exonerated** – The allegation is true, however, the action of our employee was justified and/or consistent with the agency's policy.
- **Unfounded** – The allegation is either false or there is no credible evidence to support it.
- **Policy Failure** - A finding or conclusion that current policies, procedures, rules or regulations covering the situation were non-existent or inadequate; or the employee followed policy but the investigation reveals policy changes are recommended.

All decisions involving disciplinary action will be made in conjunction with the City's Labor Relations Office and the City Manager's Office. Complaints that involve a possible criminal violation are sent to the Broward County State Attorney's Office for review. Once these processes are complete, select cases are sent to the Citizen's Police Review Board for their review and recommendation.



### Mailing Address:

Fort Lauderdale Police Department  
Office of Internal Affairs  
1300 West Broward Boulevard  
Fort Lauderdale, FL 33312

### Office Location:

255 NE 3 Ave  
Fort Lauderdale, FL 33301

### Office Hours:

Monday- Friday 8AM-4PM

### Complaint Line:

(954) 828-6956

### Email:

[InternalAffairs@fortlauderdale.gov](mailto:InternalAffairs@fortlauderdale.gov)



# SENIOR STAFF



**Karen Dietrich**  
Assistant Chief  
Support Services Bureau



**Douglas MacDougall**  
Assistant Chief  
Operations Bureau



**Luis Alvarez**  
Assistant Chief  
Investigations Bureau



**Francis Sousa**  
Major  
Support Services



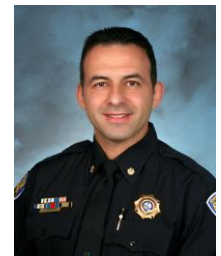
**Dana Swisher**  
Major  
Operations  
Patrol Division



**Gregory Salters**  
Major  
Operations  
Support Division



**Victor London**  
Major  
Internal Affairs



**Eric Brogna**  
Major  
Investigations  
Bureau

## CITY COMMISSION

**Dean J. Trantalis**  
Mayor

**Heather Moraitis**  
Commissioner – District 1

**Steven Glassman**  
Commissioner – District 2

**Robert L. McKinzie**  
Commissioner – District 3

**Ben Sorensen**  
Commissioner – District 4

**Chris Lagerbloom**  
City Manager

**Alain E. Boileau**  
City Attorney

**John Herbst**  
City Auditor

**Jeffrey A. Modarelli**  
City Clerk





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