

**6. The Department's Aggressive Organizational Culture Contributes to Excessive Force Incidents.**

The department's lack of internal oversight has allowed a culture of aggression to develop. This culture is manifested in the routine nature of excessive force and lack of corrective actions taken by the leadership to address force incidents. This culture is evident in the department's training, permissive policy on weapons, under-utilization of its crisis intervention team, overuse of SWAT, and the harsh approaches to ordinary encounters with residents. The failure of the department's leadership to address unnecessary uses of force reinforces the aggressive culture.

A lack of accountability in the use of excessive force promotes an acceptance of disproportionate and aggressive behavior towards residents. We reviewed numerous incidents demonstrating this approach. For example, in the incident involving "Charles," where he was



stopped by officers for failing to stop at a sign while riding his bicycle, the officers escalated the situation and shocked him with Tasers multiple times. According to the incident report, the officer essentially fired his Taser at Charles for failing to completely submit and obey commands. The initial officer called for backup when Charles failed to stop his bicycle immediately upon the officer's command; ultimately three officers approached him. Their use of force against a perplexed cyclist is just one of many episodes in which officers expressed hostility toward people not engaged in the commission of any crimes. An officer's decision to use his Taser on Ivan is another example. Ivan was unconscious on a couch during a party. When he was roused by the officer and obviously confused, he started to struggle while still prone on the couch. The officer escalated the situation instead of altering his approach given Ivan's condition. Both of these incidents were approved by supervisors in subsequent reports that found the force reasonable.

As mentioned above, APD's training is focused so heavily on weaponry and force scenarios that officers do not get essential tools to engage in effective de-escalation methods. The training is an element of the culture of aggression. Once officers complete their training, they are allowed to carry non-standard issued weapons that are approved by the range master.<sup>54</sup> We were informed that many officers purchase expensive, high-powered guns as soon as they are allowed, using their own money. Officers see the guns as status symbols. APD personnel we interviewed indicated that this fondness for powerful weaponry illustrates the aggressive culture.

This aggressive culture is also evident in many of the force reports that we reviewed, in incidents recounted to us by community witnesses, and in widely available videos of officers using force against non-combative individuals. We interviewed numerous people who relayed accounts of harsh treatment by officers. The incident involving "Nick" illustrates this point. He provided video footage showing an officer choking him after he stepped out of his car during a stop for driving while intoxicated. In another incident, an officer grabbed, yelled at, and attempted to handcuff "Omar" when he was helping an accident victim and did not get out of the officers' way quickly enough for the officer. Omar tried to explain that he was compressing the victim's wound and using his training as an emergency medical technician, but the officer seemed concerned only with his immediate compliance. Additionally, we have reviewed reports and publicly available videos of officers slamming a man's head against a tree planter on a sidewalk, using a Taser on an obviously subdued man, and punching a man who had done nothing to the officer or anyone else. Few supervisors tried to address these problems. When supervisors did attempt to correct these officers, many complained about the dearth of support from department leadership when they attempted to address problematic conduct. These incidents and the failure to require corrective action demonstrate a culture that emphasizes force and complete submission over safety. The department's leadership does not address these issues and, as such, sends a message that such conduct is acceptable. This culture contributes to the use of excessive force.

## **7. The Department's Limited External Oversight Contributes to the Pattern or Practice of Unconstitutional Uses of Force.**

Independent, external oversight of a police agency—oversight that is exercised by individuals or institutions that are not part of or beholden to the agency or its leadership—helps

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<sup>54</sup> Firearms and Ammunition Authorization Policy 2-22.