

*Village of Cottage Grove*

# **POLICE DEPARTMENT**

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**Daniel L. Layber**  
*Chief of Police*

## **2019 Village of Cottage Grove Police Department Annual Report on Use of Force**

As required by the Village of Cottage Grove Police Department's "Use of Force" policy, Chief Layber is required to prepare an annual report and analysis of the department's use of force incidents. The report will note any areas needing improvement, and any patterns or trends that could indicate training needs and/or policy modifications.

In 2019 the Cottage Grove Police Department had 4 documented use of force incidents, compared to 9 in 2018, and 6 in 2017.

The first incident involved a 25-year-old male who was operating a motor vehicle in the Village of Cottage Grove. The vehicle was being surveilled by the Madison Police Department because the driver was suspected of having four warrants for his arrest. The Madison Police Department contacted the CGPD and requested one of our on-duty officers stop the vehicle so that identification and possible arrest of the subject could be conducted. Due to the nature of the warrants, the CGPD officer initiated a felony traffic stop of the vehicle and during the stop he briefly pointed his handgun at the vehicle. It was later determined that the subject driving the vehicle was not the wanted subject, however, the passenger was related. The CGPD Use of Force Policy states that pointing a firearm at a subject is a reportable use of force. Many police departments and academics do not classify this as a use of force situation. The driver and passenger were not taken into custody, they were not injured, they made no complaints of injuries or excessive use of force.

The second incident involved a 13-year-old female student at school who was being escorted from the building due to her behavior. While being escorted by the School Resource Officer and another CGPD officer, the officers each grabbed one of her arms to prevent her from fleeing. While walking her to a squad car, she kicked the officers multiple times and had to be directed to the ground twice because of this conduct. While trying to get the female into the squad car she struck the SRO twice in the face. She was eventually placed in handcuffs and restrained for 10 minutes. She calmed down and was released from the handcuffs. Officers had to restrain the female by grasping her arms and legs and holding her down. The female did not complain of any injuries, she did not receive any medical attention, and the officers did not notice any injuries to her. Parents were notified of what occurred and no complaints were received at the police department. The officer that was kicked and punched did experience pain but did not require medical attention.

The third incident involved an 18-year-old male who was causing a disturbance and threatening employees at a gas station in the Village of Cottage Grove. When the CGPD officer arrived on scene, the male left the station and started walking down a nearby street. The officer ordered the subject to stop, however he did not. The officer caught up with the subject and again, asked him multiple times to stop and had to place his hand on the subject's arm. The subject became physically combative with the officer and they fell to the ground while the officer and subject were struggling with each other. At one point in the confrontation, the subject was on top of the officer and tried to grab the officer's gun. The officer tried to use his Taser to control the subject, but it was ineffective. Shortly thereafter, a citizen came to the aid of the officer and physically helped the officer get the subject in handcuffs. EMS was called to the scene because of the Taser deployment and they removed the prongs from the Taser which were in the stomach area of the subject. He was checked by EMS for injuries and evaluated. He refused transport to the hospital and EMS determined that he was not in need of further medical

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treatment. He was arrested and subsequently charged with felonies. The officer sustained injuries to his elbow, knee and back. He missed two days of work as a result.

The fourth incident involved a 10-year-old student at a school in Cottage Grove who was being disruptive in class and refused to leave the classroom. The School Resource Office and a staff member of the school had to physically remove the student. The SRO grabbed an arm to escort the student from the class and while the student was struggling, the officer moved the student's arm behind his back as a come-along hold. Once they reached an officer area the student kicked the SRO in the leg. The student was not injured, and no first aid was rendered. There were no complaints received at the police department regarding this incident.

In Chief Layber's review of the incidents, the officer's actions were deemed appropriate in all situations they were faced with. They used the minimum amount of force necessary to control the subjects and no subjects were injured because of the use of force.

Due to the minimal number of police use of force incidents, it is difficult to note any patterns or trends that could indicate training needs and/or policy modifications. It appears that the police officers involved were well trained and applied their training and experience appropriately during these encounters. No follow-up complaints were made to the police department by the subjects or their representatives alleging excessive force was used.

Sincerely,

Daniel Layber  
Police Chief