

Village of Cottage Grove

POLICE DEPARTMENT

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Daniel L. Layber
Chief of Police

2020 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 2020 the Cottage Grove Police Department had 3 documented use of force incidents, compared to 4 in 2019, and 9 in 2018.

The first incident involved a 27-year-old female who was a passenger in a car operated by an intoxicated driver. The driver was arrested without incident, however, the female subject, who was extremely intoxicated and throwing up, resisted efforts to remove her from the vehicle after she moved into the driver's seat. She swore and screamed at the officers, refused orders, kicked at them and the squad car, physically resisted efforts to get her into custody on the scene and later at the detox center. Officers had to use physical force to get her to the ground, place her in handcuffs, place her into the squad car, remove her from the squad car, and assist staff at the detox center in placing her in restraints. No weapons were used by the officers during the arrest, and no injuries were reported then, or later by the subject. A minimum amount of force was used by the officers to control the subject.

The second incident involved a 38-year-old male subject who was involved in a domestic disturbance with his girlfriend at a residence in Cottage Grove. The girlfriend stated that the subject was drunk, aggressive, and armed with an assault rifle. Upon arrival officers observed the female and the subject in the garage, he took a baby from the girlfriend and refused her request and officer's requests to give the baby back to the girlfriend. At some point the subject released the baby, leaned into a car in the garage where the two Ar-15 rifles were located and refused to follow orders to stay away from the car. Eventually officers approached the subject and ordered him to lay on the ground and get away from the vehicle. He refused, at which time officers physically tried to grab his arms and direct him to the ground. He physically resisted this and was eventually Tased by a Dane County Sheriff's Deputy. He was eventually taken to the ground, placed in handcuffs and taken into custody. The subject was very intoxicated, had defecated on himself, and had four bullets in his pockets. The subject had minor bleeding on his forehead, and therefore EMS responded to the scene to assess. The subject refused to allow the EMS personnel to treat him. He was arrested for physical domestic violence. No weapons were used by Cottage Grove officers. CGPD officers only used physical control methods to grab his arms and get him to the ground where handcuffs were placed on him. A minimum amount of force was used to bring the subject under control.

The third incident involved a 25-year-old male subject who was causing a disturbance at a house, was intoxicated and was refusing to leave the other people's house. There were also allegations of a possible sexual assault by the subject while at the party. Upon arrival officers found the subject in his vehicle attempting

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to leave the scene. Officers made contact with the subject who was seated in the driver's seat. He refused to exit the vehicle, repeatedly pleaded the 5th amendment, and showed officers the ignition key. Officers attempted to open the doors, but they were locked. Citizens on scene attempted to get him to unlock the doors, but with no success. Due to his intoxicated condition he was obviously not allowed to leave the scene in the vehicle. Warnings were given to the subject to exit the vehicle or officers would break a window to remove him. He refused, the window was broken, and he still refused to exit the vehicle. Officers grabbed the subject and tried to forcefully remove him from the vehicle, tried a pain compliance method behind his ear (to no avail) and eventually threatened use of a Taser. He then complied and exited the vehicle but still physically resisted but was eventually handcuffed. He was then taken to jail for resisting arrest, obstructing, disorderly conduct. He was not injured, and no weapons were used against the subject. A minimum amount of force was used to make the arrest.

In all the above-mentioned incidents a body camera and dash cam video were used to record the incidents. All officers filled out the CGPD Use of Force forms and narrative reports were compiled. A supervisor reviewed the forms, reviewed the use of force, and then the Chief of Police reviewed the incidents. Video recordings were also reviewed. In all three use of force incidents the supervisors and Chief of Police found that the officers used the appropriate amount of force for the situations they were involved in. No violations of CGPD policy, or state and federal laws were discovered. There were no patterns concerning the use of force in the department that were of note that would warrant a change in policies or procedures.

Sincerely,

Daniel Layber
Police Chief