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Louisville Metro Police Department

Use Of Force Report

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
08/26/2016	08/26/2016	16:42
Record ID Number	Incident Control #	IA No
36124	80-16-073175	80-16-073175
Date/Time Entered	Entered By	
08/28/2016 10 15	Police Officer Tate Mason 7035	
BlueTeam NexGen Assigned Investigator	IAPro Assigned Investigator	
[Pending assignment]	Un-assigned	

Incident Summary

Officers (A. Tanner, A. Allen) were dispatched to above location on an intoxicated male who did not have money to pay his bill. When officers told the involved citizen he needed to pay his bill he said he would have to go to an ATM to get the money. When officers attempted to place the involved citizen under arrest for being highly intoxicated and having no intentions or way to pay his bill, he resisted arrest and officers used a takedown took him to the floor. Once to the floor the involved citizen became aggressive by swinging his arms and failed to comply with several loud verbal commands from officers to give them his hands. Officers disengaged and attempted to tase the involved citizen with no effect. Officers then drive stunned the involved citizen twice which allowed them to get the involved citizen into custody. EMS came to scene for the tasing. Involved citizen refused EMS and signed the refusal (LMEMS Unit #174, Run #80808). Involved citizen was transported to corrections with no issues. Officers were not injured during the incident.

WVS reviewed

A. Tanner: [https://lmpd.evidence.com/axon/evidence?](https://lmpd.evidence.com/axon/evidence?evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923)

[evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923](https://lmpd.evidence.com/axon/evidence?evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923)

A. Allen: [https://lmpd.evidence.com/axon/evidence?](https://lmpd.evidence.com/axon/evidence?evidence_id=f33f29efa78a4a84aabd56e0f5002d38&partner_id=a1a320f442344723b1749253b9b6d923)

[evidence_id=f33f29efa78a4a84aabd56e0f5002d38&partner_id=a1a320f442344723b1749253b9b6d923](https://lmpd.evidence.com/axon/evidence?evidence_id=f33f29efa78a4a84aabd56e0f5002d38&partner_id=a1a320f442344723b1749253b9b6d923)

Incident Location

Addresses

1164 3rd ST S, Louisville, KY, 40203

- Location of Occurrence: Division 4

Use of Force Details

Reason For Using Force	Service Being Rendered	More Than 1 Citizen Involved
Active Aggression	Effecting an Arrest	No
Weather Condition	Light Condition	Distance to Citizen
Clear	Indoor Lighting	Zero-Hands On
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	No	Yes
Citizen Build	Citizen Height	Citizen Influence Assessment
Medium	5'10" to 6'0"	Alcohol Impaired
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen

Christian M Shepard

Date of Birth: [REDACTED] **Race:** W **Ethnicity:** Unknown **Gender:** Male

Addresses

[REDACTED] Louisville, KY, 40203

Phone Numbers [None Entered]

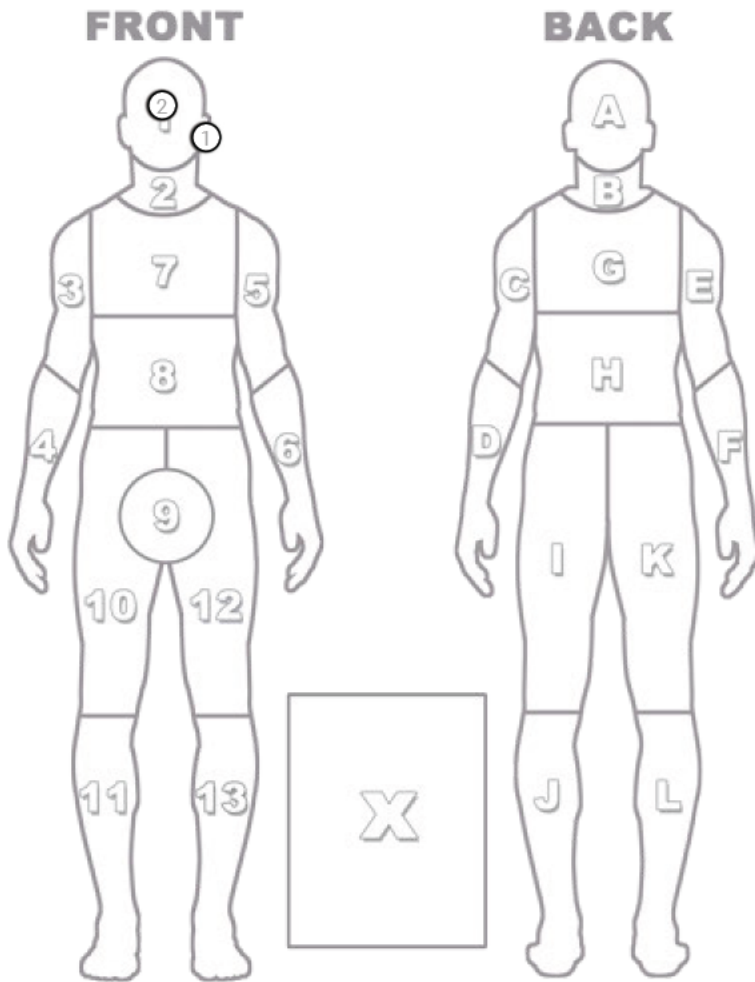
Role: [None Entered]

Type of Resistance Citizen Used Against Officer

- Verbal Non-Compliance
- Active Aggression
- Defensive Resistance

Injuries Sustained By Citizen

Injury	Pre existing Injury	Region	Injury Location
Face	Unk	1, 1	1, 2



Charges Against Citizen

- Resisting Arrest
- Alcohol Intoxication
- Disorderly Conduct 2nd
- Theft by Failure to Make Required Disposition

Involved Officers

Police Officer Austin Allen - 7349

Assignment at time of incident: Police Officer Patrol Bureau/4th Division/4th Division/1st Platoon/PO-73
 [None Entered]

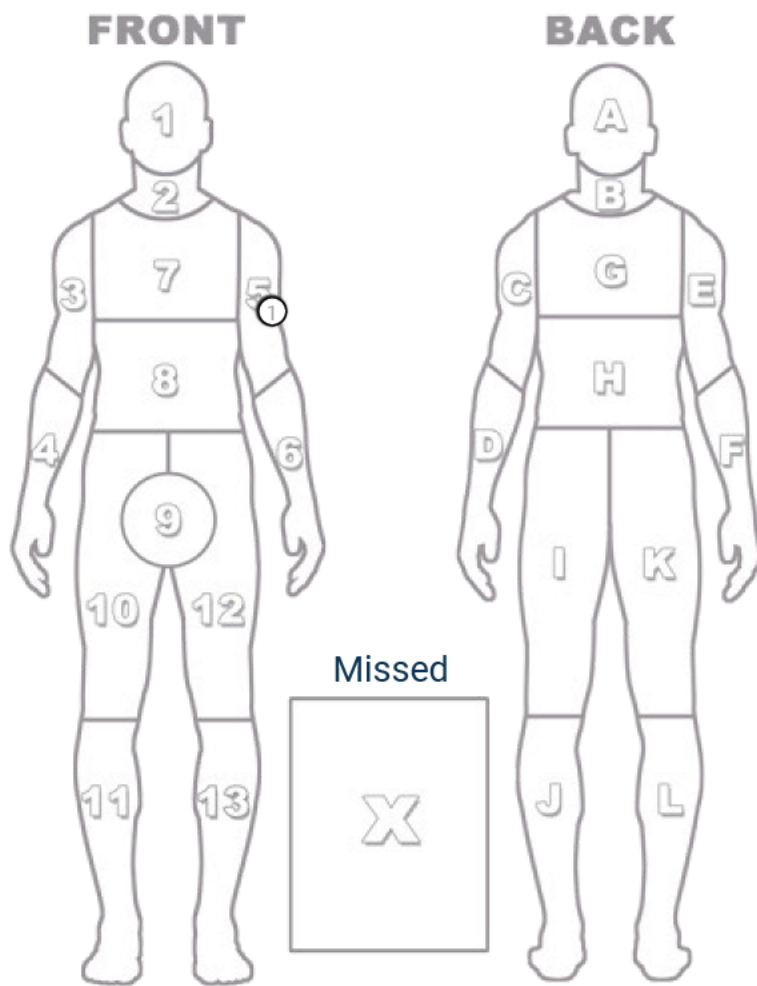
Role: [None Entered]

Force used by this Officer against Citizen

- Verbal Directions - Force Effective: No
- Take Down - Force Effective: No

Less lethal force used by this Officer against Citizen

Force Used	Force Effective	Region	Point of Contact
Verbal Directions	No		[Non-Contact]
Take Down	No	5	1



Injuries Sustained By Officer

No injury

Police Officer Amy Tanner - 2532

Assignment at time of incident: Police Officer Patrol Bureau/4th Division/4th Division/1st Platoon/421C

[None Entered]

Role: [None Entered]

Force used by this Officer against Citizen

- Verbal Directions - Force Effective: No
- Take Down - Force Effective: Yes

Less lethal force used by this Officer against Citizen

- ECW Cartridge Deployed - Less lethal force effective: No

Serial Number: X00-058055

Cartridge Number: C4101W7K3

Projectile/Probe Deployment: Yes

Number of Air Cartridges Used: 1

Number of Cycles Through Probes: 1

Number of Probe Hits: 1

Total Number of Probes Deployed: 2

Probe Penetrate Subjects Skin: No

Additional Cartridge Deployed: No

Follow Up Drive Stun Conducted: No

Duration of Cycles: 5 Sec

Accidental (unauthorized) Discharge: No

Direct Stun Contact: No

Statistical Information

Arc Display: No

Citizen painted with laser/red dot: No

- ECW Stun Feature - Less lethal force effective: Yes

Serial Number: X00-058055

Cartridge Number: C4101W7K3

Projectile/Probe Deployment: No

Direct Stun Contact: Yes

Number of Cycles: 2

Cartridge Attached: Yes

Follow Up Drive Stun Conducted: Yes

Duration of Cycles: 5 Sec

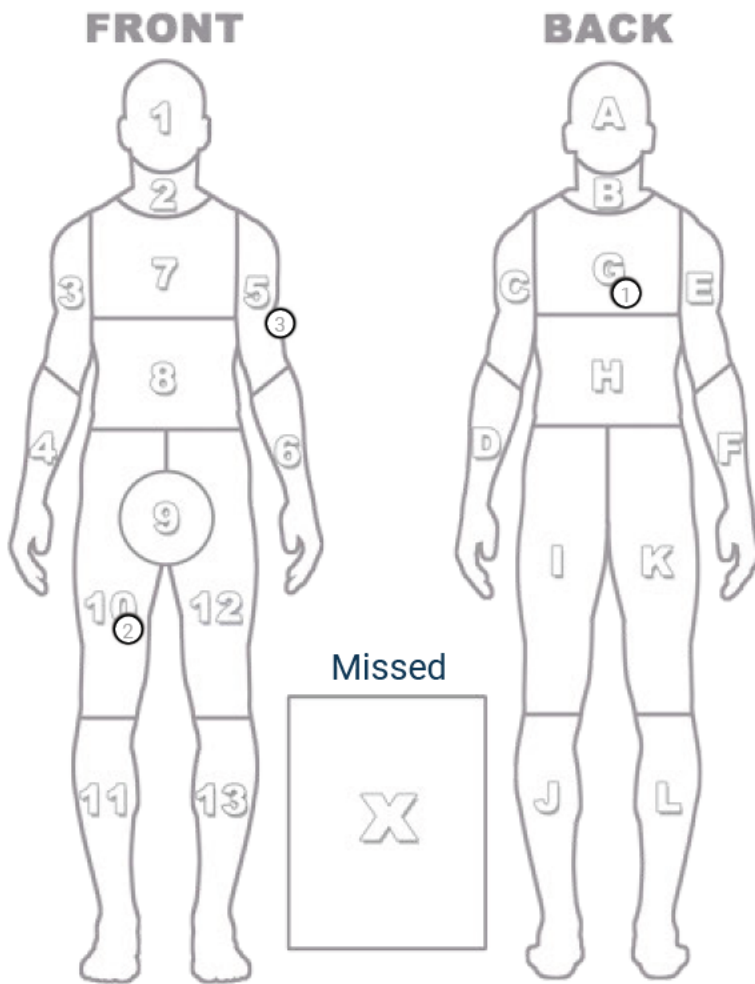
Accidental (unauthorized) Discharge: No

Statistical Information

Arc Display: No

Citizen painted with laser/red dot: No

Force Used	Force Effective	Region	Point of Contact
Verbal Directions	No		[Non-Contact]
ECW Cartridge Deployed	No	G	1
ECW Stun Feature	Yes	10	2
Take Down	Yes	5	3



Injuries Sustained By Officer

No injury

Citizen Witnesses

[Redacted]

Date of Birth: [Redacted] **Race:** Other **Ethnicity:** Unknown **Gender:** Male

Role: [None Entered]

Addresses

[Redacted], Louisville, KY, 40218

Phone Numbers

[Redacted]

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No Attachments

Assignment History

Date/Time Sent	From	To	Activity
02/07/2017 12:29	Civilian J Volz		Released back to IAPro

Chain of Command History

Routing Number: 1

From [Snapshot Title Unavailable] Tate Mason

To Police Lieutenant Steven Kaufling

Cc: [Snapshot Title Unavailable] Rob Owen

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Pamela Oberhausen

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] David Peace

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Les Skaggs

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Eric Ernst

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Brandon Hogan

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Daniel Miracle

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Ryan Bates

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Matt Ditch

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] John Bradley

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] James Lane

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Joel Phillips

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

[Snapshot Title Unavailable] Jon Mattingly

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

Date/Time Sent 09/11/2016 17:17

Instructions From [[Snapshot Title Unavailable] Tate Mason] To [Police Lieutenant Steven Kaufling]

I believe the officers actions were within policy and that the use of force was appropriate.

Comments/Response From [Police Lieutenant Steven Kaufling]

After viewing the WVS officers appeared to use appropriate force to gain control of the suspect who was actively resisting officers commands and attempts to place the suspect into custody. Taser was ineffective and officers had to physically put the suspects hands behind his back and into cuffs. Suspect continued to resist and had to be held on the ground and hobbled. No action recommended.

Routing Number: 2

From [Snapshot Title Unavailable] Steven Kaufling

To Police Major Ryan Bates

Cc:

Date/Time Sent 09/12/2016 09:42

Instructions From [[Snapshot Title Unavailable] Steven Kaufling] To [Police Major Ryan Bates]

For your review.

Comments/Response From [Police Major Ryan Bates]

No action recommended. The officers use of force was reasonable considering their repeated voice commands to de-escalate the situation were ignored. The suspect continued to actively and aggressively resist the officers attempts to utilize empty-hand control techniques to take him into custody. Once on the ground, the suspect continued to fight and ignore repeated commands to "stop." The suspect also attempted to pull away from and face Officer Allen in an aggressive and menacing manner. I reviewed the bookmarked portion of the following WVS video clip:

<https://lmpd.evidence.com/axon/evidence?>

[evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923](https://lmpd.evidence.com/axon/evidence?evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923)

Routing Number: 3

From [Snapshot Title Unavailable] Ryan Bates

To Asst Police Chief-Lt Col Kim Kraeszig

Cc: [Snapshot Title Unavailable] Kim Burbrink

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

Date/Time Sent 09/14/2016 14:18**Instructions From [[Snapshot Title Unavailable] Ryan Bates] To [Asst Police Chief-Lt Col Kim Kraeszig]**

No action recommended. The officers use of force was reasonable considering their repeated voice commands to de-escalate the situation were ignored. The suspect continued to actively and aggressively resist the officers attempts to utilize empty-hand control techniques to take him into custody. Once on the ground, the suspect continued to fight and ignore repeated commands to "stop." The suspect also attempted to pull away from and face Officer Allen in an aggressive and menacing manner. I reviewed the bookmarked portion of the following WVS video clip:

[https://impd.evidence.com/axon/evidence?](https://impd.evidence.com/axon/evidence?evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923)

[evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923](https://impd.evidence.com/axon/evidence?evidence_id=f48ffa147af74a8195863d233061cf67&partner_id=a1a320f442344723b1749253b9b6d923)

Comments/Response From [Asst Police Chief-Lt Col Kim Kraeszig]

No further action recommended. (KB)

Routing Number: 4

From [Snapshot Title Unavailable] Kim Kraeszig

To Attorney Dennis Sims

Cc:

Date/Time Sent 09/21/2016 11:06**Instructions From [[Snapshot Title Unavailable] Kim Kraeszig] To [Attorney Dennis Sims]**

No further action recommended. (KB)

Comments/Response From [Attorney Dennis Sims]

[Forwarded by Attorney William Sims]

Routing Number: 5

From [Snapshot Title Unavailable] Dennis Sims

To Professional Standards Unit (Final AIR)

Cc: [Snapshot Title Unavailable] Kim Kraeszig

Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Civilian Jane Volz

Date/Time Sent 09/22/2016 11:57

Instructions From [[Snapshot Title Unavailable] Dennis Sims] To [Professional Standards Unit (Final AIR)]

Discussed with Col.

Comments/Response From [Professional Standards Unit (Final AIR)]

Kaufling, please have Officer Mason make the following changes and return to you for review. After you approve his changes, please forward back to me directly. Thanks, Kelly Jo. 1. Add verbal non-compliance and defensive resistance to Shepard. You should list ALL levels of resistance, not just the highest form. 2. Add Shepherd's address. 3. There are no levels of force under the officers' names. You must add ALL the officers' levels of force used. These would include verbal directions, empty hand control, takedown, ECW Drive Stun, and de-escalation (talking to him and providing him chances to do what was right). Call if you have any questions [REDACTED]. Thanks and stay safe.

Routing Number: 6

From [Snapshot Title Unavailable] Kelly Higgs

To Police Lieutenant Steven Kaufling

Cc:

Date/Time Sent 12/01/2016 11:53

Instructions From [[Snapshot Title Unavailable] Kelly Higgs] To [Police Lieutenant Steven Kaufling]

Kaufling, please have Officer Mason make the following changes and return to you for review. After you approve his changes, please forward back to me directly. Thanks, Kelly Jo. 1. Add verbal non-compliance and defensive resistance to Shepard. You should list ALL levels of resistance, not just the highest form. 2. Add Shepherd's address. 3. There are no levels of force under the officers' names. You must add ALL the officers' levels of force used. These would include verbal directions, empty hand control, takedown, ECW Drive Stun, and de-escalation (talking to him and providing him chances to do what was right). Call if you have any questions [REDACTED]. Thanks and stay safe.

Comments/Response From [Police Lieutenant Steven Kaufling]

See Lt. Higgs comments and make changes. Thanks

Routing Number: 7

From [Snapshot Title Unavailable] Steven Kaufling

To Police Officer Tate Mason

Cc:

Date/Time Sent 12/01/2016 12:14

Instructions From [[Snapshot Title Unavailable] Steven Kaufling] To [Police Officer Tate Mason]

See comments

Comments/Response From [Police Officer Tate Mason]

[Forwarded by Police Officer Tate Mason]**Routing Number: 8**

From [Snapshot Title Unavailable] Tate Mason

To Police Lieutenant Steven Kaufling

Cc:

Date/Time Sent 12/12/2016 11:56

Instructions From [[Snapshot Title Unavailable] Tate Mason] To [Police Lieutenant Steven Kaufling]

Changes have been made to the incident. Thank you.

Comments/Response From [Police Lieutenant Steven Kaufling]

Additional info submitted to the report.

After viewing the WVS officers appeared to use appropriate force to gain control of the suspect who was actively resisting officers commands and attempts to place the suspect into custody. Taser was ineffective and officers had to physically put the suspects hands behind his back and into cuffs. Suspect continued to resist and had to be held on the ground and hobbled. No action recommended.

Routing Number: 9

From [Snapshot Title Unavailable] Steven Kaufling

To Police Lieutenant Kelly Higgs

Cc:

Date/Time Sent 12/12/2016 17:23

Instructions From [[Snapshot Title Unavailable] Steven Kaufling] To [Police Lieutenant Kelly Higgs]

Additional info added.

Comments/Response From [Police Lieutenant Kelly Higgs]

[Forward to IAPro by Police Lieutenant Kelly Higgs]

Assigned Investigator Signature Line

[Pending assignment]

Chain of Command Signature Lines

Police Major Ryan Bates - 2418

Chain of Command Signature Lines

Attorney Dennis Sims - 9655

Chain of Command Signature Lines

Police Lieutenant Kelly Higgs - 2478

Chain of Command Signature Lines

Police Lieutenant Steven Kaufling - 2997

Chain of Command Signature Lines

Police Officer Tate Mason - 7035

Chain of Command Signature Lines

Police Lieutenant Steven Kaufling - 2997

Chain of Command Signature Lines

Asst Police Chief-Lt Col Kim Kraeszig - 2916

Chain of Command Signature Lines

Police Lieutenant Steven Kaufling - 2997

Chain of Command Signature Lines

Police Lieutenant Kelly Higgs - 2478