



# TEXAS POLICE CHIEFS ASSOCIATION FOUNDATION LAW ENFORCEMENT RECOGNITION PROGRAM ANNUAL REPORT

**Agency:** Kennedale Police Department

**Year Report Filed:** 2022

**Current Chief Executive Officer:** Chief Mike Holguin

**Contact Number:** (817)985-2161

**Current Program Manager:** Sgt Brian Andrews

**Contact Number:** (817)985-2160

**Current Sworn Strength Authorized:** 25

**Current Sworn Actual:** 22

**Current Non-Sworn Authorized:** 3

**Non-Sworn Actual:** 3

Please answer the following questions regarding your department operations since your Recognition Award Date or your last Annual Report. An annual report is not necessary during your fourth year after the Recognition Award. Updated Proofs of Compliance for all Best Practices must be prepared during the fourth year (prior to the expiration of your current Recognition Award) and an On-Site Review completed for renewal of Recognized status.

## I. Policy or Organizational Changes

Since your previous report or on-site:

1. Did you make any changes in your Deadly Force policy?  Yes  No
2. Did you make any changes in your Vehicle Pursuit policy?  Yes  No
3. Did you make any changes in any other departmental written directive used as a Proof of compliance with a BBP?  Yes  No
4. Have you made any changes to your organizational structure?  Yes  No

If so, please explain and attach a copy of the policy revisions.

5. Has your Chief Executive officer changed?  Yes  No
6. Has your Program Manager changed?  Yes  No
7. If your CEO has changed, has the new chief written a letter to the TPCAF indicating their understanding of the existing contract with the Recognition Program?  Yes  No

## II. Administration

Since your previous report or on-site:

1. If you promoted any new Supervisors, was Supervisor Training conducted?  Yes  No  NA
  2. Has every member of the Department received an annual Performance Evaluation?  Yes  No
  3. Was there a Review conducted of the agency's Emergency Operations Plan? (Required every two years.)  Yes  No
- If you answered No to any of the above, please explain:

### III. Performance Activities

Since your previous report or on-site:

1. Have all sworn members of your department qualified at least once with all firearms they are authorized to carry?  Yes  No
2. Have all of the sworn officers in the department received annual training on the use of deadly force and the use of the firearms they are authorized to carry?  Yes  No
3. Have all sworn officer's firearms been inspected?  Yes  No
4. Have all employees and volunteers received the required training necessary for TCOLE requirements?  Yes  No
5. If you have an Emergency Response Team, was training conducted according to the schedule indicated in your Written Directives?  Yes  No  NA
6. If you have Crisis Negotiators, was training provided according to the schedule indicated in your Written Directives?  Yes  No  NA
7. If your agency uses a Confidential or Narcotics Buy Fund, was it audited to ensure proper operation at least every six months?  Yes  No  NA
8. Was agency Special Use equipment inspected at least quarterly?  Yes  No  NA
9. If you have an Emergency Response Team, was their equipment inspected at least quarterly?  Yes  No  NA
10. If you are responsible for Courtroom Security, was the Fire Evacuation Plan discussed with Court employees?  Yes  No  NA
11. Did the department conduct at least two Property Room Inspections during the year?  Yes  No

12. Did the department conduct an inventory of the Property Room?  Yes  No
13. Did you conduct training and have all officers qualify with less than lethal weapons that they are authorized to carry this year? (Required every two years)  Yes  No
14. Has your agency completed its required Racial Profiling Report and submitted it to your governing body?  Yes  No

If you answered No to any of the above questions, please explain:

#### IV. Facility Modifications

Since your previous report or on-site:

1. Have you changed facilities?  Yes  No
2. Have you made any physical changes to your:
- Property Room?  Yes  No  NA
- Communications Center?  Yes  No  NA
- Holding Facility?  Yes  No  NA

If you answered Yes to any of the above questions, please explain and describe the actions taken to maintain compliance with Best Practices in those areas.

#### V. Unusual Events

1. Have there been any negative media reports that a reasonable person could perceive as affecting the agency's compliance with Recognition standards?  Yes  No
2. Have any events occurred that a reasonable person could perceive as negatively affecting the agency's compliance with Recognition standards?  Yes  No

If you answered Yes to any of the above questions, please explain.

#### VI. Required Reports

In addition to the above status report, Recognized Agencies are required to submit copies of the below required reports and proof of the annual Property Room inventory. Please indicate if these reports are attached or submitted as additional attachments.

Annual Analysis of Use of Force	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Annual Analysis of Pursuits	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Annual Analysis of Accidents and Injuries	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Proof of Property Room Inventory (dated)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

If you answered No to any of the above questions, please explain:

**VI. Other Issues**

Is your agency currently in compliance with all applicable Standards?  Yes  No  
If No, please explain:

Does your agency review the Vincible Training provided by TPCA?  Yes  No  
During the past year, have there been any instance where you feel your agency was not in compliance with applicable standards?  Yes  No

If Yes, please explain:

**VII. Certification**

I hereby certify that this agency can demonstrate ongoing compliance with all applicable Recognition Program Standards except as indicated above.

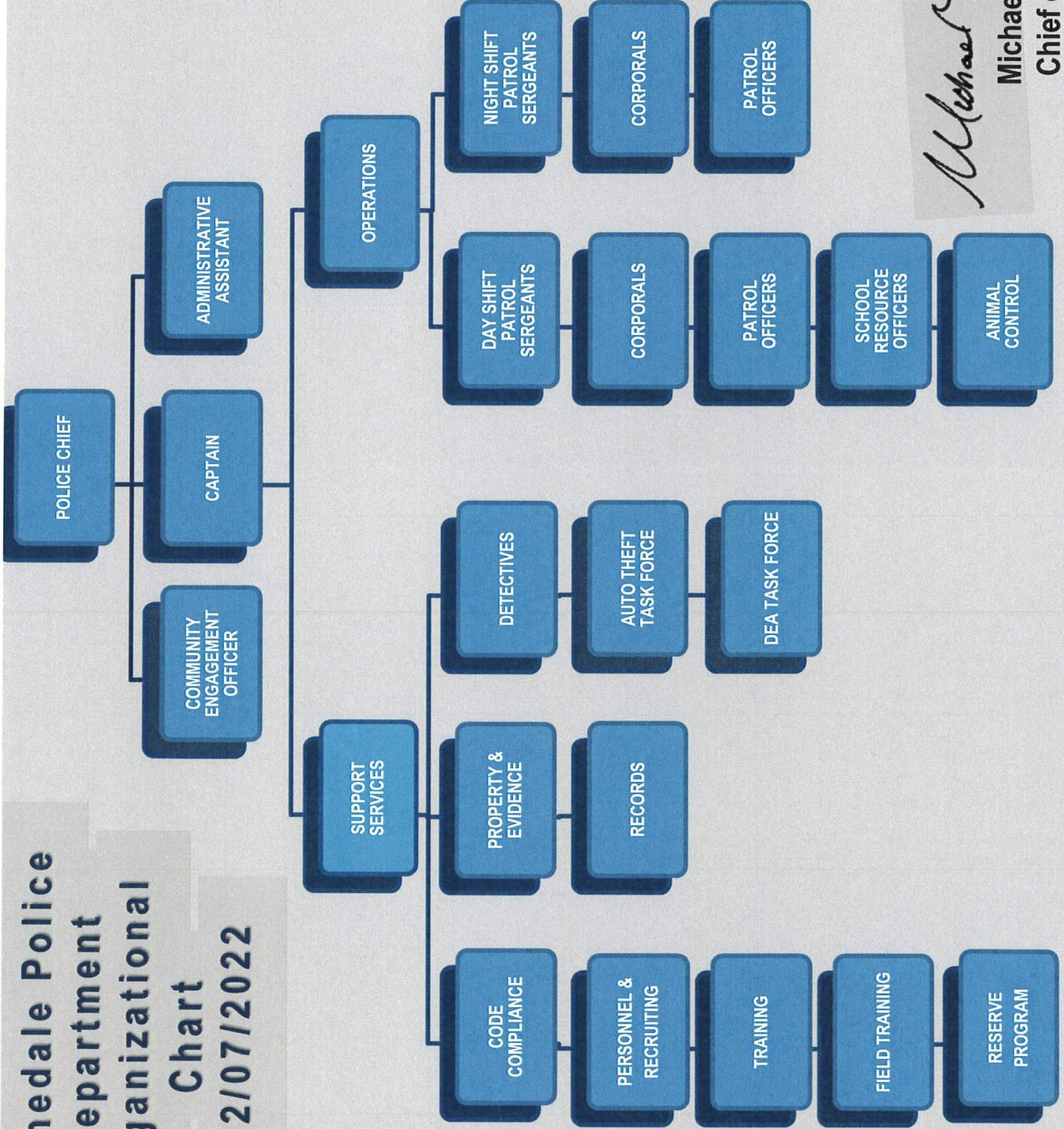
Chief Executive Officer Signature: 

Date: 02/09/2023

Prepared By: Sgt Brian Andrews

# Kennedale Police Department Organizational Chart

12/07/2022



*Michael Holguin*  
**Michael Holguin**  
 Chief of Police

# Use of Force Analysis Report



The City of  
Kennedale  
Police Department  
401 Municipal Drive  
Kennedale, Texas 76060

**TRUST • INTEGRITY • PURPOSE**

**2022**

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## Purpose

The purpose of this report is to analyze Use of Force incidents involving Kennedale Police Department Officers from January 1, 2022 through December 31, 2022.

The City of Kennedale Police Department is committed to protecting the rights of all persons by using only necessary and reasonable force to achieve legal objectives. Each use of force incident and report is reviewed to meet department and community expectations. The goal of each use of force encounter is to use only necessary and prudent force for the situation while minimizing the impact on our citizens.

This analysis is also conducted each year to comply with Texas Law Enforcement Best Practice Standard 6.10. Meeting the expectations of this standard assists the department by identifying methods for possibly reducing future use of force incidences and the inherent risks involved.

Additionally, analyzing the application of force in each incident will assist with recognizing trends or variables that may result in operational or policy changes. Analysis can also examine changes in use of force training and in the manner that force is used, exploration of new equipment needs, or changes to the operational response and procedural management of a use of force incident by police supervisors.



**Mike Holguin**  
Chief of Police

## Use of Force Implementation



Kennedale Police Officers are trained by the department to use the least amount of force necessary to complete a legal and lawful objective. Officers are trained to escalate force successively based on the situation, using the lowest level or least amount of force when possible. The level of resistance encountered by an officer will determine what level of force an officer will use to gain control of a situation, effect a detention or arrest, or to protect a citizen or themselves from harm.

There is no requirement that an officer must apply force successively beginning with the lowest level of the force if the officer is facing an escalated force situation. Officers are authorized to use the level of force necessary to meet an escalated threat in the furtherance of legal and lawful objectives.

## Use of Force Reporting Requirements



Texas Law Enforcement Best Practice Standard 6.03 and Kennedale Police Department General Order 6.3 require the completion of a detailed, written report when an officer is involved in a use of force encounter.

In accordance with Standard 6.03- Use of Force Documentation and Review, officers will complete a Use of Force Report form to document the type, level and aftereffects of the force used. The reporting officer must identify the force used by each officer involved in a use of force incident. Additionally, the report must include the reason for contact, the suspect actions and injuries to anyone involved.

A Use of Force Report must be completed in any situation where force is used. This includes, but is not limited to:

- the use of empty hand control techniques,
- the use of less than lethal weapons,
- vehicle pursuits,
- pointing a firearm at a suspect, and
- the use of deadly force.

Each Use of Force report is reviewed by the chain of command. The Use of Force Report approval process begins with the officer's immediate supervisor and concludes after the final review by the Chief of Police.

The chain of command review process allows for a thorough examination of a use of force



incident to determine if the force used was appropriate, lawful and within departmental policy and guidelines. If the application of force used does not satisfactorily meet these standards, a police department investigation of the incident is required. The outcome of an investigation can result in additional training, corrective discipline, or termination of employment for each officer involved. The outcome of an investigation can also result in department-wide changes to policies, procedures, and training.

## Analysis

The following pages discuss the analysis of the application of force for the 2022 calendar year. This report is not intended to identify use of force complaints. Concerns regarding the force used in any of the documented instances of this report have been previously addressed by the department through the chain of command review process. Any violations of Use of Force policies requiring corrective action or discipline from 2021 have been investigated and concluded.

### Use of Force Comparison 2022 v. 2021

The Use of Force Analysis Report only compares the highest level of force used per incident with the previous year's data. However, all applications of force used by every officer are scrutinized during the chain of command review process. All applications of force are held to the same standard as previously stated in the [Use of Force Reporting Requirements](#) section of this report.

**There were 24 Use of Force Reports completed in 2021 compared to 11 Use of Force reports documented in 2022.** The current standard requires officers to each officer to individually complete a report on the same incident. The same information is collected as in years past, the only difference being that each officer has their own form; they are not added to the same form any longer. The 2022 reports also indicated that there were **9** Kennedale officers who individually used various levels of force in each of the **8** instances reported. The difference from 2021 to 2022 represents a decrease of **13** (-13) instances of force i.e., use of force encounters. Although officers are individually completing Use of Force Reports for every force encounter, one officer completed two reports in one instance as a result of releasing two subjects on the same call.

The 2022 total of force encounters is significantly lower than the previous year. Using a three-year average, 11 reported use of force encounters is below the average range of 16.33 (14 in 2020; 24 in 2021; 11 in 2022 = 49/3). There are no concerns presently and the potential cause for the significant drop in reports will be discussed in greater in the following paragraphs.

There were 20,395 public contacts in 2022 versus 17,916 public contacts in 2021, an increase of 2,479 or 13.8%. Public content data is provided by dispatch services as a combination of all calls for service and self-initiated calls combined. As seen in the past, an increase of public contacts would have typically resulted in a correlated increase of uses of force. However, although contacts increased substantially, use of force incidences remained very low. An additional important fact to also consider is that the decrease in reports is in spite of more strict reporting guidelines initiated in 2021 that require the completion of a report by each officer involved.

The ratio of use of force frequency compared to public contacts in 2022 is also very low compared to previous years. The ratio for 2021 was is .0008 (16/17,916) and for 2022 is .0005

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(11/20,395). This can also be interpreted as approximately one use of force encounter situation for every 1,854 (20,395/11) documented and recorded public contacts.

Additionally, the latest information from City-Data.com shows that the population for Kennedale was 8,645 in 2019. However, city-based information estimates that that current population is closer to 10,200 residents and growing. Based on this information, there was one use of force encounter for every 927 citizens. Although the citizen-to-force breakdown is not significant, it is used to further illustrate the relatively low use of force incidents that were reported by the police department in 2022. However, it is recognized that when comparing use of force ratios, there are no nationally accepted use of force threshold ratios for police departments. Police administrators must use comparative year-to-year data to identify any potential anomalies.

A five-year comparison of Use of Force Reports using the present and previous reporting standards and instructions shows a repeated cycle of increases and decreases:

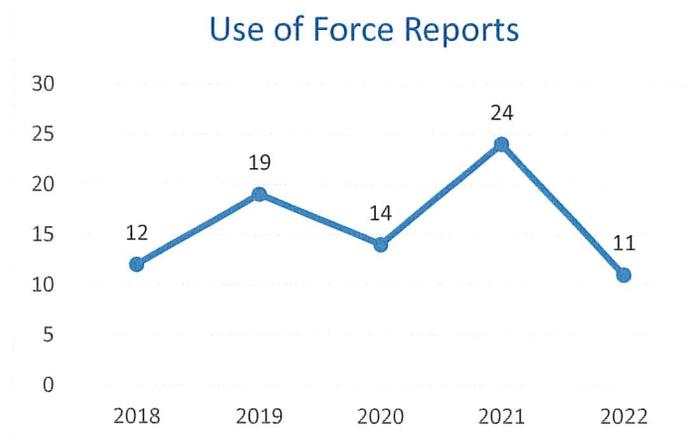


Figure 1: 2018 through 2022 Use of Force Report comparison.

The continued population growth in Kennedale (2.65% per year based on U.S. Census data) and the rising number of housing starts in the city and in surrounding communities continues to increase voluntary and involuntary police/citizen contacts. As a result, it is to be expected that the number of incidences requiring use of force reporting will increase.

Additionally, with legislative changes regarding use of force reporting standards, the Kennedale Police Department began reporting additional force options and actions in 2021. As a result of the increasing population and stricter reporting requirements, it was predicted that there would be a significant increase in the number of Use of Force Reports completed in addition to an increase in the number of documented uses of force by each officer in years to come.



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The low incidences of uses of force by the Kennedale Police Department can be attributed to the following factors:

- The separation of officers who tended to use force in lieu of verbal de-escalation techniques;
- a new review reporting structure whereby each use of force report is reviewed by a certified defensive tactics instructor and the chain of command;
- a new force continuum based on the Pressure Point and Control Tactics (PPCT) model; and,
- monthly training (four-hour block minimum) on defensive tactics, active shooter, and firearms training.

There are no concerns regarding the nine officers who used force in the eight incidents reported. Supervisors will continue to monitor and thoroughly review Use of Force Reports to determine if force alternatives need to be addressed or investigated. The nature of each incident differed and, in some cases, required multiple officers to use varying levels of force as the situation unfolded. In the instances where more than one officer used force during a single event, a felony level offense was involved, the subject(s) were uncooperative, resisted arrest, or were using active aggression against another person or an officer. The actions of the suspects encountered in use of force situations determined when more than one officer was required to use force. Each incident and the circumstances requiring the force that was used will be described in the **Use of Force Summaries** section of this report. The following is a breakdown of force by category – 2022 v. 2021.

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Type of Force Used	2021	2022	Change
Electronic Control Device- ECD (Taser) Discharged	5	1	-4
Electronic Control Device- ECD (Taser) Displayed	2	0	-2
Firearm Discharged	0	0	0
Firearm Displayed (Pointed at Subject)	10	1	-9
Impact Weapon	1	0	-1
Non-Lethal / Less than Lethal (Including Display)	0	1	+1
Oleoresin Capsicum (OC) Spray	0	0	0
Physical Control / Empty Hand Control	14	4	-10
Vehicle Pursuits	0	0	0
Other	6	5	No Change
<b>TOTALS</b>	<b>38</b>	<b>12</b>	<b>-25</b>

Table 1: 2021 v. 2022 types of force used.

An analysis of the use of force reports in 2022 found only one instance necessitating department supervision to either implement discipline or corrective action. The 11 other instances were within departmental policy with no concerns.

As seen in Table 1, only the **Other** category had similar numbers between 2022 and 2021. Within the Use of Force incidents categorized as Other, all five were for Handcuffing without Arrest.

The police department’s continued emphasis on providing excellent customer service, engaging in community outreach programs and the current communication strategies (social media, crime prevention presentations, etc.) may have also continued to contribute to the decreased need to apply force with any frequency. The decreases overall are significant, especially due to the increasing urbanization of the area, the increase in commuter and business vehicular traffic from growing communities bordering Kennedale, and the growing city population.

Shoutout to Kennedale’s finest for making their presence felt on our campuses today. ❤️ We truly appreciate you! 🙌 @KennedaleISD  
 @Cariclarck71Cari @maggieinlow  
 @RosieSandoval73



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## Individual Officer Use of Force

In 2022, 9 officers were involved in use of force situations. As previously written in the **Use of Force Comparison 2021 v. 2022** section of this report, the actions of officers were reviewed per department policy to ensure that force was legally and lawfully applied and in compliance with the department's Use of Force standards.

Reference Best Practices standards, the review process correspondingly attempts to identify patterns of officer behavior which could indicate the need for additional training or closer supervisor even if the officer's actions did not merit an internal complaint. The Kennedale Police Department's chain of command understands that the frequency and level of force that an individual officer may apply during a year can depend on several factors. These factors may include the level of crime activity in the officer's assigned area, the type of assignment the officer is given, the time of day or shift assigned and the officer's experience level.

The department staffs two, twelve-hour patrol shifts. Each patrol shift consists of the following service hours:

- Day Shift (7am - 7pm)
- Night Shift (7pm - 7am)

The following table provides the number of completed Use of Force Reports by shift:

Shift	Incidences of Force Used	Percentage
Day Shift	5	62.5%
Night Shift	3	37.5%
<b>TOTAL</b>	<b>8</b>	<b>100%</b>

*Table 2: Use of force incidences percentages by shift.*

The shift comparison by number table (Table 2) clearly indicates that officers working the 7am to 7pm shift were more likely to be involved in a situation requiring the completion of a Use of Force Report.

Regarding percentage comparisons, in 2021, Day Shift accounted for 25% of all use of force incidents recorded. As seen in the table above, the new 12-hour shift has accounted for an increase of dayshift use of force incidents. Because the 12-hour shift assignments were new in 2022, there is no comparative data to determine if these numbers are outside of the normal range.

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As stated previously, an officer's work hours can be a contributing factor to the frequency of incidents an officer may find themselves engaged in requiring the use of force. The Evening Shift historically reports more incidences. However, all applicable factors are considered during the chain of command review to ensure consistency and accountability.



A higher number of uses of force during evening shift hours is consistent with most police agencies across the country. Police departments experience the highest call load volume from 2pm to 11pm, requiring the bulk of patrol officer staffing to be assigned to evening hours. The following [Summary of Use of Force Categories](#) section will provide an overview of the circumstance of each incident.

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## Use of Force Summaries by Category



The following pages of this report contain the summary of each Use of Force Report submitted by officers in 2022. The summaries are listed in order by the amount of reports completed for each category. For instance, the Physical Control / Empty Hand Control category had the most reports so it will be the first level of force listed and summarized in this report.

Each Use of Force Report is categorized according to the maximum level of force used at the time force was applied by the officers involved, although differing levels of force may also be documented in the report. Within the report summaries, each report is listed by date of occurrence. The report number is also included for reference purposes.

### Physical Control / Empty Hand Control

Kennedale Police Officers reported using force consisting of **Physical Control / Empty Hand Control** four times during three documented Use of Force incidences in 2022, a decrease of five instances where force had to be used compared to 2021.

During an escalating situation, Physical Control / Empty Hand Control begins when the subject does not respond to verbal direction and the officer performs an action beyond using only a strong grip to control a subject. An example that would be considered reportable under the Physical Control / Empty Hand Control category would include the officer using a strong grip while forcibly having to use their body weight, strength, or other means to handcuff a resisting subject. Additional examples of actions that should be categorized as Physical Control include applying touch pressure or striking nerve centers of a subject's body to create muscular motor dysfunction and using any other soft or empty hand techniques that would not typically cause any serious or permanent injury to a subject. Forcibly taking a subject to the ground to affect an arrest is also considered Physical Control / Empty Hand Control.

In every report summarized in this section, Kennedale Police Officers used Physical Control / Empty Hand Control without escalating force.

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Please see the following summaries regarding the use of **Physical Force / Empty Hand Control** for 2022:

**Date: 01-14-22**                      **Report Number: 22-0020**

**Summary:**

The force documented in the report consisted of one officer using **Empty Hand Control**.

Officers contacted a combative subject who attempted to strike officers. After initially being handcuffed, the subject was able to free one of their hands and attempted to hit officers with their free hand. Officers used open empty hand control to take the subject to the ground and re-handcuff the suspect. No policy violations or concerns were documented in the chain of command review.

**Date: 06-17-2022**                      **Report Number: 22-0369**

**Summary:**

The force documented in the report consisted of two officers using **Empty Hand Control** and one of the two officers for Electronic Control Device (ECD/Taser) deployment.

An officer contacted an individual who was reported to have been recording children playing in a field. When the officer located the suspect, the suspect began to flee on foot. The officer followed the suspect in his patrol vehicle. After the suspect attempted to cross the street in front of the police vehicle, the officer exited the vehicle and deployed his Taser in an attempt to stop the fleeing suspect but missed. The suspect continued to run toward the other side of the street where he was eventually tackled to the ground by the pursuing officer. A backup officer arrived and both attempted to use open empty hand techniques to handcuff the suspect. One officer reported using a pressure point to one of the suspects' triceps to gain compliance as the suspect continued to resist and clench his hands under his body while lying face down on the ground. The officers were eventually able to gain control and handcuff the suspect.

This incident resulted in disciplinary action on the officer who deployed his taser while the suspect fled. According to **Kennedale Police Department Policy 6.06(f) - TASERS**, officers are prohibited from using an Electronic Control Device (ECD/Taser) on suspects fleeing on foot when the only crime they are suspected of committing is evading arrest unless there are exigent circumstances:

*F. Use of the TASER X26, X26P, X2 under the following circumstances is prohibited, unless exigent circumstances can be articulated:*

- *Use against subjects fleeing on foot when the only suspected crime is evading arrest.*

This incident also resulted in additional use of force training for all uniformed officers with an emphasis on empty hand control and handcuffing.

**Date: 09-14-22**                      **Report Number: 22-0568**

**Summary:**

The force documented in the report consisted of one officer using **Empty Hand Control**.

During the course of a warrant arrest, the arrestee, who has a history of mental illness, began to resist the officers after being handcuffed and refused to be transported by holding the car door

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open with his feet/legs and by refusing to put his feet/legs into the car so that the car door could be closed. The reporting officer stated that after attempting to use a closed fist strike to the suspects' common peroneal with no effect, the hypoglossal pressure point technique was used by the officer to eventually get him in the car. After the door was closed, the same officer reported having to use the infra-orbital and hypoglossal on two additional occasions to attempt to stop the suspect from kicking and damaging the prisoner bars protecting the window of the rear passenger door. No policy violations or concerns were documented in the chain of command review.

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Firearm Discharged or Displayed

Kennedale Police Officers did not discharge a firearm in the performance of their duties in 2022.

Officers **Displayed a Firearm** (pointed at a subject) on one occasion on one incident during 2022 compared to 10 instances in 5 separate incidents in 2021.



The use of a firearm by discharge or display while trying to achieve a legal and lawful objective or to stop a substantial threat is considered using or threatening to use deadly force. If deadly force is used by an officer, there is a considerable chance that the outcome will be irreversible. Therefore, the Kennedale Police Department has restrictions on the use of lethal force that officers must comply with during the performance of their duties.

Additionally, officers must also adhere to the rules of engagement and the tactics taught through the intensive training each officer receives. Officers must also follow the department's deadly force policies and state laws.

As in every situation where force is used, all situations where a firearm is discharged or displayed must be documented on a Use of Force Report form. However, if an officer discharges a weapon on duty, a detailed investigation is initiated to determine if the officer's use of a firearm followed department policy and the law.

The following are summaries of the incident involving a firearm in 2022:

**Date: 03-14-2022      Report Number: 22-0139**

**Summary:**

The force documented in the report consisted of two officers, one **Displaying a Firearm** and the other displaying a JPX Pepper Ball Gun.

Officers were dispatched to a domestic violence offense in progress. The suspect assaulted the victim and had fled on foot prior to officers arriving. Believing that the suspect was still in the area, officers began to search for the suspect. The suspect was located hiding in a backyard and when discovered, the suspect fled but was later apprehended and arrested. The force used and documented in this incident involved one officer displaying a firearm during the search for the suspect in a backyard with a significant amount of debris that afforded the suspect cover and concealment.

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The second officer who was also searching for the suspect presented the less lethal option with the display of the JPX Pepper Ball Gun during the search.

Although the original review by the operational sergeant did not concur with the display of a firearm during the search, the chain review, which includes the defensive tactics coordinator, overrode the initial assessment and indicated that displaying a weapon in a situation where the suspect, who had already committed a violent offense and was known for frequently committing offenses, had the tactical advantage on the officers who were searching for him amongst the debris in the backyard and posed a significant danger to the officers. No additional concerns were documented in the chain of command review.

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Electronic Control Device- ECD (Taser)

Kennedale Police Officers discharged and or utilized the drive stun feature on the standard issue Taser, an **Electronic Control Device (ECD)** one time in 2022 compared to five times in 2021.

There was one incident where an officer displayed the ECD in 2020 compared to two instances of officers displaying an ECD in 2021.

Electronic Control Devices (ECD's), commonly referred to as Tasers, are handheld devices that fire two small darts designed to penetrate the skin. The darts can also penetrate average, daily wear clothing. The darts cannot penetrate thick clothing, coats, or jackets.

The darts are tethered to a power source with small flexible wires. When the device is activated, a high voltage/low amperage charge is transmitted via the wires and through the darts imbedded in the individual. The electronic charge causes involuntary motor dysfunction to the large muscle groups of the body. When motor dysfunction takes place, the subject is incapacitated long enough to be taken into custody by officers. The transmission of the electric charge lasts five seconds at a time and does not usually result in any negative, long-term side effects when used on a healthy individual.

The Kennedale Police Department trains officers on the proper and appropriate use of Electronic Control Devices. Officers are expected to follow policies designed to restrict the use of an ECD to situations where the officer is encountering and attempting to stop active aggression against themselves or another individual that the officer must protect. The use of an ECD is not allowed when encountering passive resistance or passive non-compliance. As with any weapon or defensive tactic technique, officers are not allowed to use the ECD in any manner that could be construed as cruel or unusual. When the suspect stops resisting and complies with the officer's commands, the officer must stop activating the ECD. This is also expected when an officer displays the ECD in response to an active aggression situation. If the subject becomes compliant, the officer should not activate the ECD.

Included in the category are incidents when the use of an ECD was the highest level of force used to bring a subject under control. If the use of an ECD was insufficient to bring the individual under control and a higher level of force was used, the higher level of force is documented in the appropriate category.

The following summarizes the discharge and display incidences of an ECD during this reporting period:

Date: 06-17-2022

Report Number: 22-0369

**Summary:**

The force documented in the report consisted of two officers using Empty Hand Control and one of the two officers for **Electronic Control Device (ECD/Taser) deployment**.

An officer contacted an individual who was reported to have been recording children playing in a field. When the officer located the suspect, the suspect began to flee on foot. The officer followed the suspect in his patrol vehicle. After the suspect attempted to cross the street in front of the police vehicle, the officer exited the vehicle and deployed his ECD/Taser in an attempt to stop the fleeing suspect but missed. The suspect continued to run toward the other side of the street where he was eventually tackled to the ground by the pursuing officer. A backup officer arrived and both attempted to use open empty hand techniques to handcuff the suspect. One officer reported using a pressure point to one of the suspects' triceps to gain compliance as the suspect continued to resist and clench his hands under his body while lying face down on the ground. The officers were eventually able to gain control and handcuff the suspect.

This incident resulted in disciplinary action on the officer who deployed his taser while the suspect fled. According to **Kennedale Police Department Policy 6.06(F) - TASERS**, officers are prohibited from using an Electronic Control Device (ECD/Taser) on suspects fleeing on foot when the only crime they are suspected of committing is evading arrest unless there are exigent circumstances:

*F. Use of the TASER X26, X26P, X2 under the following circumstances is prohibited, unless exigent circumstances can be articulated:*

- *Use against subjects fleeing on foot when the only suspected crime is evading arrest.*

This incident also resulted in additional use of force training for all uniformed officers with an emphasis on empty hand control and handcuffing.

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Analysis of the Use of Force  
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Other

There were five incidents documented as **Other** on five Use of Force Reports during 2022 compared to four incidents documented on three Use of Force Reports during 2021.

This category is used for incidents that do not qualify for a category as identified in the Use of Force policies or on the Use of Force Report form but still require documentation.

The following summarizes force documented as Other during this reporting period.

**Date: 02-13-2022      Incident Number: 2022-013781**

**Summary:**

The force documented in this report consisted of **Handcuffing without an Arrest x two subjects.**

The officer was dispatched to a possible burglary in progress. Upon arrival, the officer contacted several individuals and handcuffed two of them upon contact. The subjects were compliant. Additional investigation revealed that there was no offense and the subjects handcuffed had permission to be there. Both individuals were released without charges. Officer safety techniques were discussed with the involved officer. There were no Use of Force policy violations.

**Date: 07-21-2022      Incident Number: 2022-067960**

**Summary:**

The force documented in this report consisted of **Handcuffing without an Arrest.**

The officer was dispatched to a fight in progress. Upon arrival in the area, the officer located a suspect potentially involved in the altercation leaving the location in a vehicle. After initiating a traffic stop, the driver, possible suspect, was detained and handcuffed. After the investigation was concluded, it was determined that no offense had occurred and the subject was released without charges. No policy violations or concerns were documented in the chain of command review.

**Date: 09-12-2022      Incident Number: 2022-086522**

**Summary:**

The force documented in the report consisted of **Handcuffing without an Arrest.**

An officer stopped a driver suspected of driving while intoxicated. After completing the initial standardized field sobriety tests, the initiating officer believed that the driver was intoxicated and placed the suspect under arrest, handcuffing the subject per standard operating procedure. After the supervisor arrived on scene to assist, it was determined that the driver was not intoxicated and was released with a citation for Open Container. The incident was addressed with the officer and the supervisor to attempt to ensure that all of the elements of the offense are met prior to placing a subject under arrest. The defensive tactics coordinator also made a recommendation for the officer to practice handcuffing techniques. No further concerns were documented in the chain of command review.

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Date: 10-29-2022

Report Number: 22-0691

**Summary:**

The force documented in the report consisted of **Handcuffing without an Arrest.**

Officers were dispatched to a theft in progress call. Upon arrival, the suspect ran from the responding officer. The officer gave an order for the suspect to stop and he complied. When the officer made contact, the suspect was placed in handcuffs per standard operating procedure and arrested on the suspicion of theft. The subject was cooperative with officers and after being escorted back to the offense location and admitted to the offense, he was criminal trespassed by the store manager, unhandcuffed and released with a citation for the Class C offense in lieu of jail for the offense. No policy violations or concerns were documented in the chain of command review.

### Less Lethal Weapons

Kennedale Police Officers displayed less lethal munitions once in 2022 and twice in 2021.

The department has several less lethal munitions available. These weapons are fired from specially designed firearms that cause pain, short-term trauma, and create mental stunning without causing serious bodily injury or death.

Pepper-ball munitions fired from devices similar to paintball guns are capable of shooting projectiles containing a powdered chemical that irritates the eyes and nose in a manner similar to OC Spray. While these rounds are designed to be less lethal, they are still able to cause significant damage to a person and are regulated to be used as a last resort and as time and opportunity permit.

Included in the category are incidents where a non-lethal / less lethal weapon was the highest level of force used to control a subject. If the use of a less lethal device was ineffective and a higher level of force was used, the incident is reported at the highest level and in the appropriate category.

**Date: 03-14-2022**

**Report Number: 22-0139**

#### **Summary:**

The force documented in the report consisted of two officers, one Displaying a Firearm and the other **Displaying a JPX Pepper Ball Gun**.

Officers were dispatched to a domestic violence offense in progress. The suspect assaulted the victim and had fled on foot prior to officers arriving. Believing that the suspect was still in the area, officers began to search for the suspect. The suspect was located hiding in a backyard and when discovered, the suspect fled but was later apprehended and arrested. The force used and documented in this incident involved one officer displaying a firearm during the search for the suspect in a backyard with a significant amount of debris that afforded the suspect cover and concealment.

The second officer who was also searching for the suspect presented the less lethal option with the display of the JPX Pepper Ball Gun during the search.

Although the original review by the operational sergeant did not concur with the display of a firearm during the search, the chain review, which includes the defensive tactics coordinator, overrode the initial assessment and indicated that displaying a weapon in a situation where the suspect, who had already committed a violent offense and was known for frequently committing offenses, had the tactical advantage on the officers who were searching for him amongst the debris in the backyard and posed a significant danger to the officers. There were no concerns with the display of the JPX Pepper Ball Gun. No additional concerns were documented in the chain of command review.

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### Impact Weapons / Baton

Kennedale Police Officers did not use an impact weapon in 2022 compared to one time in 2021. Impact weapons include the use of the department issued ASP baton, the use of a closed fist or any other implement to deliver a strike to a person.

The department issues a collapsible baton and provides necessary training for each officer. Baton training is provided to teach officers the appropriate and approved strike areas. The proper use of a baton will ordinarily stun the suspect, providing the officer an opportunity to gain control of the subject without using any additional force. Departmental policy prohibits officers from striking the head of an individual.

If an officer does not have the time or opportunity to deploy the baton or other less-lethal options, officers may defend themselves with their bare hands using closed fists. Closed fist strikes are also reported in this category.

This category includes incidents when an impact weapon was the highest level of force used to control a subject. If the use of an impact weapon was insufficient to bring the individual under control and a higher level of force was used, that incident is reported at the highest level used.

Instances where verbal commands or lower levels of force were used but were ineffective at are also included in this section.

### Oleoresin Capsicum (OC) Spray

Officers did not use the Oleoresin Capsicum (OC) Spray force option in 2022 or in 2021.

Oleoresin Capsicum is a chemical compound derived from various pepper plants and is mixed with a propellant that is used by law enforcement agencies as a less-lethal alternative to higher and more injury producing levels of force. To maximize the effects of the spray, officers are trained to spray a resisting subject's face, the primary target area. When used, the spray immediately causes an intense and uncomfortable burning sensation to an individual's eyes, nose, mouth or exposed skin. The effects of the spray will cause most subjects to stop resisting and usually dissipates within 30 minutes. Exposure to the chemical agent rarely has any negative long-term effects.

Incidents that require the use of OC Spray to affect an arrest or bring a subject under control are documented in this category.

If OC Spray was insufficient to bring the individual under control and a higher level of force was used, the higher level of force used is reported in the appropriate category.

Ineffective verbal commands or techniques employed prior to the use of OC Spray must be documented in this section as well.

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Vehicle Pursuits

There were no vehicle pursuits by officers in 2022 and there were no pursuits in 2021.

The Kennedale Police Department adheres to the Texas Police Chiefs Association Recognition Program when engaging in and documenting a vehicle pursuit which states:

The Agency has a written directive for vehicle pursuits.

The written directive includes:

- The criteria for initiating a pursuit.
- The method of conducting a pursuit.
- The supervision of a pursuit.
- The criteria for terminating vehicle pursuits.



Officers must adhere to the rules of engagement taught through the intensive training each officer receives in adherence to departmental policy and state law.

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**Citizen and Internal Complaints Regarding the Use of Force**

There were no incidents that resulted in formal Internal Affairs investigations for excessive, unnecessary or inappropriate use of force applications in this reporting period.

The Kennedale Police Department will continue to provide excellent, fair, and consistent police service to our community.

**Recommendations**

Based on the findings of the 2022 Use of Force analysis, the incidents reported during this period were accurate and investigated correctly.

It is my recommendation that when police personnel are training with firearms and for lethal and non-lethal confrontations, the participants must continue to receive training on the department's Use of Force policies and procedures. It will also be important to reiterate moral and ethical standards during use of force training.

A handwritten signature in black ink, appearing to read 'Mike Holguin', is written over a horizontal line.

Mike Holguin, Chief of Police  
Kennedale Police Department

January 23, 2023

Date

*Report prepared by:*  
Mike Holguin #029; M.B.A., M.L.A.  
Chief of Police  
Kennedale Police Department  
1 / 21/ 2023

# **Kennedale Police Department**



## **2022 Vehicle Pursuit Analysis**

## **Vehicle Pursuit Analysis for 2022**

This analysis was conducted for the purpose of reviewing the Kennedale Police Department's Vehicle Pursuits for calendar year 2022. Vehicle Pursuits are inherently dangerous to both the officers involved and the public. The Kennedale Police Department takes its obligations seriously to provide the most effective and efficient police service with the least adverse impact on our citizens. The Kennedale Police Department is committed to protecting our citizens but at the same time ensuring the manner in which we do so does not place the public at risk of greater harm. This process requires continuous evaluation of the risks and benefits of each action. This analysis is conducted each year to comply with Texas Law Enforcement Best Practice 7.14 and to attempt to identify methods for reducing the number of vehicle pursuits and the inherent risks involved.

Officers are trained by the department in pursuit tactics and emergency driving. However, as skilled as an officer might be in these situations, the vehicle being pursued may not have a competent driver and many times the driver may be under the influence of alcohol or drugs.

## **Vehicle Pursuit Reporting Requirements**

Texas Law Enforcement Best Practice 7.13 and Kennedale Police Department General Order 7.10 Police Pursuits, requires a written report be completed anytime an officer pursues a vehicle. Any Kennedale law enforcement officer in an authorized emergency vehicle may initiate a police pursuit when all of the following criteria are met:

- a. The suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension for an alleged violent felony offense that would normally require full custodial arrest;
- b. The suspect operating the vehicle refuses to stop at the direction of the officer; and
- c. The suspect, if allowed to flee, would present a continuing danger to human life.
- d. The pursuit of suspects who have committed only traffic violations is specifically prohibited.

Following termination of the pursuit, the supervisor shall ensure the primary officer completes a pursuit report for the pursuit and is submitted through the chain of command to the Chief of Police. This report shall be critiqued by the appropriate supervisors to determine compliance with

agency policy, state law, and to detect and correct any training deficiencies. The pursuit report will include the following:

- Reasons for the pursuit
- Personnel involved
- Pursuit results
- Injuries or damages or other significant events
- Date / Time
- Need to Apprehend the suspect

Any time an officer calls a pursuit, department policy requires a supervisor be immediately notified by the Dispatch center. The supervisor is required to monitor the pursuit and act as an uninvolved decision maker regarding the danger of the pursuit. Both the officer and supervisor are charged with continuous evaluation of the pursuit as it occurs and are required to call off the pursuit when wither believe the risks to the officer or public outweigh the need for immediate capture of the suspect.

Each individual Pursuit Report is immediately reviewed by the Officer's Supervisor, and through the Chain of Command to the Chief of Police. At the time of the incident, the Pursuit is reviewed to ensure the use was appropriate and within the guidelines of Department Policy. If the officer initiated a pursuit inappropriately, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination from employment. This annual analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment or supervision.

Annually, a report is prepared summarizing all agency pursuits. The report is submitted to the Chief of Police for administrative review. An annual review of police pursuits may reveal patterns or trends that indicate a need for changes in agency policy or training.

## **Vehicle Pursuit Comparison 2021/2022**

There were a total of 0 Reported Vehicle Pursuits this year compared to 0 last year. This represents a difference of 0 or a 0 percent reduction.

The reasons for Pursuit initiation are listed below by type with comparison to the previous year.

	<b>2021</b>	<b>2022</b>	<b>Difference</b>
Traffic Violation only	0	0	0
Misdemeanor Offense	0	0	0
Felony Offense	0	0	0
Outstanding Warrant	0	0	0
Suspicious Activity	0	0	0
Suspected Intoxication	0	0	0
<b>Total</b>	0	0	0

## **Individual Officer Analysis**

An officer's activities and actions are reviewed immediately following the incident by the department for appropriateness. While each individual vehicle pursuit is reviewed immediately after the event to ensure it is in compliance with department policy and law, patterns of behavior can also indicate the need for additional training or supervision. Officers can be involved in pursuits at significantly different rates depending on the crime activity in the part of the city where they are assigned, their type of assignment, the time of day they work and their experience level.

No officer pursuits were reviewed in 2022 due to no pursuits for the year.

## **Reasons for a Pursuit**

In 2022, there were 0 vehicle pursuits initiated.

## **Pursuit Terminations**

Pursuits can be terminated at any time by the pursuing officer or any Supervisor when they believe the danger posed to the citizens is greater than the need to apprehend the offender. This "voluntary termination" may better protect the citizens than the continuation of a dangerous pursuit for minor offenses. The table below provides information on how pursuits were terminated.

Type Termination	2021	2022	Difference
Voluntary Termination - Officer	0	0	0
Voluntary Termination - Supervisor	0	0	0
Stopped - Arrested	0	0	0
Stopped - Fled on foot - Escaped	0	0	0
Stopped - Fled on foot - Captured	0	0	0
Accident - Violator Involved in Accident	0	0	0
Accident - Police Involved in Accident	0	0	0
Spike Strips	0	0	0
PIT Maneuver	0	0	0
Rammed	0	0	0
Firearm	0	0	0
Roadblock	0	0	0
Escaped - Not Located	0	0	0
Escaped - Captured Later	0	0	0

## Damage and Injury

In 2022, there were 0 pursuits which had some damage or injury associated with the incident as a result of the pursuit. These pursuits are summarized below: N/A

## Policy Violations

The department policy on Pursuits is reviewed periodically with officers to ensure they are aware of when they should or should not pursue a vehicle. After each pursuit, the pursuit must be reported on the Pursuit Report Form which is forwarded through the officer's Supervisor, through the Chain of Command to the Chief. If a violation of policy is identified, the Chief may decide on an appropriate response, which may include additional training or even disciplinary actions if necessary.

In 2022, there were 0 policy violations identified in regards to pursuit initiation or termination.

## Summary and Recommendations

There were no pursuits for the year 2022. All new officers receive training for pursuit policy 7.10 during field training. The pursuit policy as well as many other policies is reviewed during the year with officers for briefing training. Recommend continuing the same policy training.

## Command Review:

Any Actions to be Taken:



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Chief of Police

02/09/2023

Date

# **Kennedale Police Department**



**2022**

# **Accident and Injury Analysis**

## **Accident and Injury Analysis for 2022**

This analysis was conducted for the purpose of reviewing the Kennedale Police Department's Vehicle Accidents and Personal Injuries for calendar year 2022. The Kennedale Police Department takes its obligations seriously to provide the most effective and efficient police service while ensuring employee safety. Law Enforcement is a particularly dangerous occupation and while many of our activities are fraught with risks, employees must take every action possible to remain safe and prevent accidents and injuries when possible. This analysis is conducted each year to comply with Texas Law Enforcement Best Practice 4.10 and to attempt to identify methods for reducing the number of vehicle accidents and personnel injuries.

This analysis consists of two parts. First is the analysis of all Vehicle Accidents by members of this department, both sworn and non-sworn. The second part is an analysis of all non-vehicle personal injuries occurring during the year. The non-vehicle personal injuries can be any type of injury from straining a back due to heavy lifting to an injury occurring during a scuffle with a prisoner.

## **Accident and Injury Reporting Requirements**

Texas Law Enforcement Best Practice 4.10, and Kennedale Police Department General Order 3.07 Accident and Injury Prevention, requires each vehicle accident and personal injury be reported and investigated. When an employee is involved in a personal injury or motor vehicle accident the employee shall contact the shift supervisor immediately if possible. A motor vehicle accident report or a first report of injury report should be submitted within 24 hours of the accident by the supervisor. The Captain shall be responsible for conducting administrative reviews regarding agency motor vehicle crashes and on-duty personal injuries of agency personnel. The reporting supervisors are responsible for reviewing all aspects of these incidents and identifying contributory factors, where possible. The supervisor may draw conclusions concerning whether the accident or injury was preventable but may not recommend discipline or other personnel action.

Any time an employee is involved in a vehicle accident, department policy requires a Supervisor be immediately notified by the Dispatch center. The supervisor is required to go to the scene and conduct an investigation into the cause of the accident. If there is significant damage to either the police vehicle or a citizen's vehicle, the Supervisor may request the investigation be completed by a traffic accident specialist or even by another law enforcement agency.

The accident is reviewed to ensure the officer's actions were appropriate and within the guidelines of Department Policy. If the officer violated department policy or state law without justification, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination from employment. This annual analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment or supervision.

Any personal injury occurring on the job that requires any form of treatment including first aid, must be reported immediately. Supervisors must complete the First Report of Injury and forward it to the Human Resources Department. Part of this reporting is attempting to determine the cause of the injury and methods for prevention. A copy of this form is maintained by the department and reviewed as part of this report to determine the causes of injuries within the department.

## Vehicle Accident Comparison 2021/2022

There were a total of 2 Reported Vehicle Accidents this year compared to 0 last year. This represents a difference of +2 or a 100 percent increase.

The Accident Causes are listed below by type with comparison to the previous year.

	<b>2021</b>	<b>2022</b>	<b>Difference</b>
Fail to Maintain Control	0	0	0
Improper Backing	0	0	0
Ran Red Light/Stop Sign	0	0	0
Speeding	0	0	0
Fail to secure Vehicle	0	0	0
Other Driver at Fault	0	2	+2
<b>Total</b>	0	2	+2

In 2022 there were two vehicle accidents for the department with both employees not at fault.

## Personal Injury Analysis 2021/2022

There were a total of 2 personal injuries reported this year compared to 4 last year. This represents a difference of -2 or a 50 percent reduction.

The injury causes are listed below by type with comparison to the previous year.

	2021	2022	Difference
Slipped on Ice	0	0	0
Slipped on Wet Hall Floor	0	0	0
Fight with suspect	2	0	-2
COVID-19	2	0	-2
Tripped	0	2	+2
Shell casing struck eye during firearms training.	0	0	0
<b>Total</b>	4	2	-2

## Individual Officer Analysis

While each employee's actions were reviewed immediately following the incident by the department, patterns of behavior can also indicate the need for additional training or supervision. Employees that were involved in multiple incidents this past year were reviewed in detail to determine if any additional training might be required.

One employee was involved in multiple incidents (2) this past year. Both incidents were random accidents with no employee fault.

## Damage and Injury

In 2022, there were 2 vehicle accidents and 2 personal injuries which had some damage or lost work time associated with the incident. These accidents and injuries are summarized below:

1 employee marked patrol vehicle was struck by a citizen backing from a parking spot with no injury or work days lost.

1 employee unmarked vehicle was struck by a citizen making unsafe lane change with no injury or work days lost.

2 employees tripped with work days lost. 1 injured leg calf at range and 1 injured knee stepping in a hole in the field.

## Policy Violations

The department policy on routine and emergency driving, including pursuits is reviewed periodically with employees to ensure they know their responsibilities. If an employee is found in violation of a department policy or law, the Chief may decide on an appropriate response, which may include additional training or even disciplinary actions if necessary.

In 2022, there were 0 policy violations identified in regards to vehicle operation or safety violations.

## Summary and Recommendations

No recommendation for additional training.

## Command Review by the Chief:

Any actions to be taken:



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Chief of Police

02/09/2023

Date



# KENNEDALE POLICE DEPARTMENT

TRUST • INTEGRITY • PURPOSE



*RVD: 2/6/23 E. Cannon*

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**TO:** Chief Michael Holguin; Capt. Carlson  
**FROM:** Officer C. Huffnagle #044  
**DATE:** February 6, 2023  
**RE:** Property Room Evidence

## Internal Memo

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On February 06, 2023, I conducted an inventory of the property room. All items in the property room were verified and confirmed against computer records. There was one property item in the wrong storage location. It was moved from overhead storage to short term storage. This was corrected immediately.

I found that the property room was clean, extremely well organized and secure. All items were properly packaged, correctly labeled and properly stored. A copy of the paperwork for all items checked is in the file.

The excellent organization and cleanliness of the property room is due to the outstanding abilities of Pam White, the property room supervisor.

Cc: Pam White

*Rec [Signature] #029*

*MICHAEL HOLGUIN  
CHIEF OF POLICE*