On the Use of Force by Honolulu Police

David T. Johnson, Nicholas Chagnon, and Daniel Jeong Department of Sociology, University of Hawaii at Manoa¹

Table of Contents

Executive Summary: p.2 I. Introduction: p.5 II. Data: p.7 III. Police Use of Force in Honolulu in 2021: p.12 A. Frequencies: p.12 B. Cross-tabs: p.18 IV. Police Use of Force Trends in Honolulu from 2010 to 2021: p.23 V. Conclusion: p.36 References: p.40 Appendix 1, Tables 1-19: p.48 Appendix 2, Figures 1-23: p.67

¹ David T. Johnson is Professor of Sociology, Nicholas Chagnon is Lecturer in Sociology and Women's Studies, and Daniel Jeong is a graduate student in Sociology at the University of Hawaii at Manoa. Their email addresses are <u>davidjoh@hawaii.edu</u>, <u>chagnon@hawaii.edu</u>, and <u>djeong@hawaii.edu</u>. The authors thank several readers of drafts of this report for their helpful comments and suggestions.

EXECUTIVE SUMMARY

- This report is based on two kinds of evidence: a dataset that summarizes all use of force reports submitted by Honolulu police in 2021, and HPD's unpublished use of force reports for each year from 2010 through 2021.
- These data sources rely on police self-reports, which should be interpreted cautiously.
- This report describes how often Honolulu police use force, but it does not make judgments about the propriety or legality of force in specific cases.

HPD Use of Force in 2021

- HPD's 1800 officers were involved in a total of 2646 use of force incidents, for an average of 1.5 use of force incidents per officer in this year.
- A very small percentage of all police interactions with the public involved the use of force.
- Three-quarters of the people subject to police force were male, and one-quarter were female.
- The average age of all people subject to police force was 36.
- There were significant racial and ethnic disparities in HPD's use of force against Micronesians, Samoans, and Blacks.
- HPD divides Honolulu into 8 districts. District 1 (Downtown, Chinatown, Kakaako) had the most use of force incidents (25.1 percent of the total), followed by District 6 (Waikiki) with 15.6 percent, District 5 (Kalihi) with 12.8 percent, and District 8 (Kapolei) with 12.6 percent. These districts accounted for two-thirds of all use of force incidents, while Districts 2 (Wahiawa), 3 (Pearl City), 4 (Kaneohe, Kailua, Kahuku), and 7 (East Honolulu) accounted for the other third.
- There are 158 "beats" in HPD's 8 districts, and 10 of them accounted for nearly onequarter of all uses of force.
- The most common forms of police force were "physical confrontation," which accounted for 53.4 percent of all use of force incidents, and "deadly force," which accounted for 20.6 percent.
- HPD officers used "deadly force" 545 times in 2021, which is an average of 10.5 deadly force incidents per week.
- HPD reported some form of subject resistance in 83 percent of all use of force incidents.
- HPD reported that 46 percent of all people subject to force were "mentally deranged" at the time of the incident, and 45 percent showed signs of "great anger."
- A subject was injured (bodily, substantial, or serious) in 14 percent of all use of force incidents, and a total of 371 persons were injured, which is about one person per day.
- Seven people died in encounters with police.
- Police were not injured in 95 percent of all use of force incidents, and more than 90 percent of officer injuries were not deemed "substantial" or "serious."

- More than two-thirds of all deadly force was used by police in situations in which subjects put up no resistance.
- Subjects who resisted police were five times more likely to be injured than subjects who did not resist.

HPD Use of Force Trends, 2010-2021

- HPD's procedure for reporting uses of force changed in 2016, and this makes it difficult to interpret trends over time.
- The number of use of force incidents reported by HPD rose 275 percent, from 706 in 2010 to 2646 in 2021.
- HPD use of force increased in all 8 districts.
- HPD use of force increased for both sexes, by 244 percent for males and by 444 percent for females.
- There have been large increases in the use of several types of police force, including physical contact, physical confrontation, and deadly force.
- From 2010, when there were 156 injuries, to 2019, when there were 497, the number of people injured by police more than tripled.
- The number of deadly force incidents (including the unholstering of a firearm) tripled, from 182 in 2010 to 545 in 2021.
- From 2010 to 2017 there was an average of 0.9 killings by HPD per year, but in the four years from 2018 to 2021 the average rose to 5.3 killings per year.
- From the 1970s through the 2010s, fatal shootings by police in 18 large American cities declined by 69 percent, while fatal shootings by police in Honolulu increased 248 percent.
- A gun was present in 11 of the 34 killings by HPD (32 percent) that occurred between 2010 and 2022. This is a substantially lower than the firearm "provocation" rate of 56 percent for killings by police in the country as a whole.
- Knives and vehicles figure much more prominently in killings by police in Honolulu than in many other parts of the United States.
- The large increase in HPD use of force was not caused by an increase in crime, for crime has declined significantly since 2010.
- The large increase in HPD use of force was not caused by an increase in arrests, for arrests have declined significantly since 2010.
- HPD has very low clearance rates for property crime and violent crime, but it is not clear whether the low rates of solving crime are related to the sharp rises in police use of force.
- Increases in the police use of force may be partly caused by increased levels of citizen resistance to the police.
- From 2010 to 2021, unemployed people were subject to 40 percent of all uses of force even though they accounted for only 3 to 4 percent of the city's adult population.
- In 2010 and 2011, homeless people were 30 to 40 times more likely to be subject to police use of force than the average person living in Honolulu (more recent data is not available).

- The number of mental health incidents has increased markedly, from 8 percent of all use of force incidents in 2010 to 17 percent in 2021.
- Many people who were subject to force were under the influence of drugs and/or alcohol at the time of their encounter with police. The proportion ranges from a low of 35 percent in 2017 to a high of 88 percent in 2015, and the average for 2010 to 2021 is 60 percent.
- From 2005 to 2020, the Honolulu Police Commission seldom sustained citizen complaints about police use of force.

Conclusions

- From 2010 to 2021, there was a huge increase in the reported use of force by HPD.
- Police use of force is often a response to social problems that cannot be solved with coercion.
- Honolulu should reduce its reliance on police use of force and reimagine public safety.

I. Introduction

Police work cannot be adequately defined in terms of the many different ends the job entails. Definitions of police are based on the means used to do their work, and the means that distinguishes this occupation from others is coercive force (Bittner, 1970). As scholars of policing have often observed, "the police are to the government as the edge is to the knife" (Chevigny, 1995, p.vii). Even in the most free and democratic societies, there are situations requiring the attention of someone with authority to use coercive force, because there are occasions when something-ought-not-to-be-happening-and-something ought-to-be-done-about-it-now! (Klockars, 1985, p.16).

Police are asked to do many things – too many things, in our view. What is more, policing tends to be "a one-size-fits-all endeavor" that puts primacy on what is unique about them, particularly their authority to use coercive force (Friedman, 2021). Of course, police use of force can be harmful and counterproductive (Kane, 2022; Kohl, 2023), but more fundamentally, force is an ineffective tool for dealing with many of the problems police are asked to address, such as traffic control, homelessness, mental illness, and drug and alcohol issues. Many of the challenges that are addressed with criminal law enforcement are really problems of public health and social welfare, and there are proven non-police responses to these problems that can be carried out by other professionals and service-providers (Obama Foundation, 2023; CAHOOTS, 2023).

What makes a good police officer or a good police department is in part a function of the ways in which coercive force is used. The best police officers – the most professional and effective police – possess both passion and perspective about the use of force (Muir, 1977). Passion is the willingness to use force when necessary, and perspective is the ability to see the consequences of that use – consequences which often involve pain, suffering, and sorrow. If passion prevents police from retreating from the challenging responsibility to protect and serve people in their community, perspective restrains police from using force frequently, aggressively, and unfairly. A good police department has an abundance of officers who possess both passion and perspective, and it cultivates these qualities through recruitment, training, supervision, discipline, and leadership (Klockars, 1985). But in most parts of the United States little is known about how police actually exercise their authority to use force (or about other crucial aspects of their performance). As James Baldwin (1972) observed, public ignorance, allied with power, "is the most ferocious enemy justice can have." There is a big information deficit in Honolulu too.

It can be difficult to define the level of force that is appropriate to use in any given situation. This is reflected in the proliferation of terms for inappropriate uses of force, which include "excessive use of force," "use of excessive force," "brutality," "unauthorized force," "wrongful force," "unjustified force," misuse of force," "unnecessary force," and so on. Some police departments evaluate the use of force with minimum standards. On this view, force is legitimate if it is not a crime, a civil liability, or an embarrassment to the department. These standards are too low: do we find the behavior of a physician, a lawyer, or a teacher acceptable merely because it is not criminal, civilly liable, or scandalous? A more appropriate standard asks whether the force in question is consistent with what a highly skilled police officer would do in a similar situation. Good policing involves finding ways to avoid the use of force (Terrill, 2020), and the best police are those who use less force, not more (Terrill and Paoline, 2016).

In its policy, the Honolulu Police Department is committed to more than a minimum standard for the use of police force. Officers are supposed to make use of force decisions that are reasonable, and "reasonableness" involves three main considerations: the severity of the crime, the level of threat, and the subject's level of resistance (Martinez, 2023). More precisely, page one of **HPD's Use of Force Policy** (Policy Number 1.04, April 1, 2021) states that the Department

"is committed to ensuring public safety as well as preserving the lives and protecting the rights of all individuals and officers without prejudice to anyone. The HPD is also committed to de-escalating incidents to negate the need for the use of force and only using the amount of force that is necessary to overcome the resistance offered. All applications of force shall conform to the constitutions and laws of the United States (U.S.) and Hawaii" (https://www.honolulupd.org/policy/policy-use-of-force/).

But in practice, little is known about how police in Honolulu use force. HPD has not kept accurate records of how many people its officers kill (Hofschneider, Jung, and Grube, 2020), and even less is known about the far more frequent uses of force that are not fatal. HPD does produce an annual use of force report, but this only provides some summaries, and it is not made publicly available.² There is also HPD's disciplinary report, which is filed each year with the Legislature. The most recent one states that HPD disciplined 22 officers in 14 cases in 2022, including eight officers who were suspended or discharged for excessive uses of force (https://www.honolulupd.org/wp-content/uploads/2023/01/HPD-2022-Legislative-Report.pdf). And then there are the perfunctory reports produced by the Honolulu Police Commission, which summarize citizen complaints about police that are made to the 7-person commission as well as the decisions rendered by the Commission (https://www.honolulu.gov/hpc/annual-reports.html). HPC's reports are supposed to be annual, but as March 2023 its last published report was for 2020. In this context, we hope our report is one step toward a more adequate understanding of the police use of force in Honolulu.

² Civil Beat did obtain HPD's annual use of force reports for 2010 to 2018

⁽https://www.documentcloud.org/app?q=%2Bproject%3Ahpd-use-of-force-reports-49931), and an HPD official told us the department is in the process of deciding whether to make use of force data publically available on its website. The present report is more detailed than HPD's annual use of force report, but where the two reports overlap the findings are generally consistent, with two main exceptions: the most common use of force incident types (HPD combined multiple incident types into single categories, and we did not – see our Table 19), and killings by police (the numerical discrepancies are described in part IV of this report).

II. Data

Section III of this report describes the use of force by Honolulu police in 2021 based on data collected by HPD and made available to us in August 2022 by Brian Black, Executive Director of the Civil Beat Law Center for the Public Interest. Mr. Black acquired the data by filing a public records request, which HPD responded to after consultation with its legal advisors. Section IV of this report describes use of force trends for 2010 to 2021 based on HPD's annual use of force reports for 2010 to 2021, which are not published but which we obtained from *Civil Beat* (2010-2019) and HPD (2020 and 2021).

HPD's use of force policy requires officers to file a use of force report (form HPD-192E) whenever an officer **"uses force beyond routine handcuffing"** (HPD Policy No. 1.04, p.18). Since more than one officer may respond to an incident, multiple reports exist for many use of force incidents. The Excel spreadsheet we received was constructed from 6308 use of force reports that were filed by HPD police in 2021. An HPD official told us that he believes this constitutes a complete count of all use of force reports filed by Honolulu police in that year. But of course, **use of force data derived from self-reporting by the police should be interpreted cautiously**, for police use of force is "a highly sensitive issue," and "the reporting officer is, in effect, an interested party who may be more likely to report such behavior in a manner most favorable to the police" (Terrill and Paoline, 2016, p.19). A car crash in Makaha in 2021 (Truesdale, 2023a) and "the mailbox conspiracy" framing of an innocent man in 2013 (Silvert, 2021) illustrate some of the problems with police self-reporting about their uses of force.³

In November 2016, HPD changed its method of reporting uses of force, from a system that relied mainly on paper forms to a computerized **Case Report System** (CRS). Under the CRS, each time an officer gets called to a situation that requires a record, an incident report is completed. If force was used during the incident, the officer is also required to file a use of force report, which can be accessed by checking a box in the incident report. Each use of force report is supposed to be reviewed and approved by a supervising police officer. And if there are mistakes or omissions in the initial report, the supervisor may send it back to the reporting officer for corrections or additions. With the CRS, electronically generated use of force reports are automatically sent to HPD's Professional Standards Office (PSO), which is responsible for compiling the data and

³ In the Makaha case, an HPD officer was charged with causing a collision involving death or bodily injury, and three other police were charged with hindering prosecution. All six occupants of the civilians' car were injured in the crash, some severely. According to Honolulu prosecutors and media reports, one HPD officer rammed the victims' vehicle with his police car during an unannounced pursuit, and three police cars then drove past the scene of the crash. When police dispatchers sent those police to the scene, they acted like they knew nothing about it. Body-worn camera footage shows the police acting as if they had no prior knowledge of what caused the collision, and some police allegedly told potential witnesses not to talk to police about the incident. Police apparently filed false reports which did not mention that they were chasing the car that crashed. As of March 2023, the Makaha case had resulted in a \$4.5 million dollar civil settlement with the City of Honolulu, and other civil litigation was still in process, as were the criminal prosecutions against four officers (Truesdale, 2023a; Geanous, 2021). But none of this police behavior, including the hit-and-run, was reflected in HPD self-reports about the use of force in 2021. The "mailbox conspiracy" case (which led to the conviction of several members of local law enforcement, including former HPD Chief Louis Kealoha) illustrates other problems with self-reporting. In this case, Gerard Puana was framed, falsely arrested, criminally charged, and pressured to plead guilty – and ultimately he was exonerated (Silvert, 2021). By any reasonable definition, Puana was subject to many serious and wrongful uses of "force," but police self-reports do not reflect those acts.

which works with an IT team to complete HPD's annual use of force report. We were also told that the PSO works with the Training Division and the Information Technology Division to analyze use of force data and to make recommendations about changes in use of force policy and practice (interview with HPD officer, February 22, 2023).

If a police officer does not submit a use of force report in circumstances where one is required, there may be an investigation, and officers found to be acting out of policy can be subject to discipline. We were told that these investigations are "seldom necessary." According to the same HPD officer, the decision to switch over to the Case Report System "did not require a major paradigm shift," and the department was able to "maintain consistency" with the previous paper-based system. But in his view, the new reporting system (CRS) has resulted in "more comprehensive reporting" of use of force incidents, which would help explain why the aggregate count of HPD use of force rose from 706 in 2010 to 2646 in 2021 – an increase of 275 percent. Section V of this reports examines HPD use of force trends in more detail.

The **HPD dataset for 2021** contains information on the characteristics of each use of force incident, including incident type (the reason for the encounter), time of incident, district, and civilian demographics such as sex, height, weight, and race or ethnicity. The dataset also includes information about the nature of the police-citizen encounter, from the subject's response to an officer's arrival to the subject's level of resistance and the officer's level of force.

Because there were multiple use of force reports for many incidents, an incident-based data set was created to minimize double- and triple-counting. In other words, reports for a single case were condensed into one report that includes all information on police force used in that incident. For example, when there were two reports for one incident, if one report included only "baton used" while the other included only "handgun used," the combined report would include values for both "baton used" and "handgun used." Similarly, if an incident had two unique reports with one stating "baton used" and "conducted electric weapon (CEW) used" and the other stating "baton used" and "firearm used," the combined incident report would include "baton used," "CEW used," and "firearm used." For the variables "Subject Resistance" and "Officer Force," we coded only the highest level of resistance and the highest level of force, respectively. Hence, if an incident included "Passive Resistance," "Defensive Resistance," and "Active Resistance," only "Active Resistance" was coded in the incident-based dataset. The values for these variables reflect only the highest level of resistance and the highest level of force in a single incident, even though many reports included multiple levels of resistance and multiple levels of force. By omitting some of these, our incident-based summaries understate the amount of police force actually used and the amount of resistance to it.

Following HPD's Policy No. 1.04, **this report organizes police uses of force into seven distinct categories**. Police are supposed to use different types and levels of force depending on the situation and other factors (see also Terrill, 2001). HPD's policy outlines a use of force continuum and describes levels of resistance corresponding with the recommended level of force and specific force options within each level. From lowest to highest, the seven levels of force in HPD's policy are: (1) verbal command, (2) physical contact, (3) chemical agent, (4) physical confrontation, (5) intermediate weapon – conducted electric weapon – specialty weapon, (6) less lethal ammunition, and (7) deadly force. For more details on HPD's policy, see <u>https://www.honolulupd.org/policy/policy-use-of-force/.</u>⁴

The personal characteristics of each subject were coded based on information reported in HPD's dataset. A subject's sex is coded male, female, or unknown, and a subject's race or ethnicity can be coded as Native Hawaiian or other Pacific Islander (NHPI), Hawaiian, Samoan, Tongan, Micronesian, Black, White, Hispanic, Japanese, Chinese, Korean, Vietnamese, Laotian, Indian, Middle Eastern, Native American, Thai, or other. A subject's demeanor is coded based on the categories provided in the HPD dataset, which include "great anger," "intoxication," and "mentally deranged." And a subject's resistance is coded based on the levels of resistance reported in the HPD dataset and outlined in HPD's use of force policy. From lowest to highest, the **seven levels of subject resistance** are: (1) nonverbal resistance, (2) verbal resistance, (3) passive resistance, (4) defensive resistance, (5) active resistance, (6) active aggression, and (7) aggravated active aggression.

To analyze the use of force data for 2021 we employed simple techniques – basic descriptive statistics such as frequency counts and percentages, and cross-tabulations which describe some dimensions of variation in the police use of force. To display trends over time we used the 2021 HPD dataset and HPD's annual use of force reports, which were obtained from *Civil Beat* for 2010 to 2019 (https://www.documentcloud.org/app?q=%2Bproject%3Ahpd-use-of-force-reports-49931) and from HPD for 2020 and 2021. All of the statistics in this report were calculated using SPSS software (Statistical Package for the Social Sciences).

The next two sections of this report summarize our findings about HPD use of force in terms of frequencies and cross-tabulations for 2021 (section III) and trends for 2010 to 2021 (section IV). The report then ends with a brief conclusion (section V).

Overall, our **frequency** analysis found a total of 2646 discrete use of force incidents involving 6308 use of force reports filed by HPD police in 2021 (an average of 2.4 use of force reports per incident). This means there was an average of 17.3 use of force reports filed per day in 2021 for a police force that had approximately 1800 sworn officers as of December 2022 (in addition to nearly 400 vacancies).⁵ This translates to about one use of force report per day for every 104

⁴ It is unclear when or why HPD regards "verbal command" as a use of force. This category apparently refers to verbal methods that are used to elicit voluntary compliance, and it can include verbal directions (asking, setting context, ordering, giving options) and officer presence (identification of police authority through uniform, vehicle, badge, and the like). But when "force" is defined this broadly it includes so many actions that the word becomes meaningless. Asking a question is not a use of force, and neither is identifying as a police officer. But if the "verbal command" category of force is conceptually incoherent, it is also empirically insignificant. In 2021, only 14 of 2646 HPD use of force incidents (0.5 percent) were coded in this category.

⁵ Of HPD's 1800 or so sworn officers, approximately 1200 work in a uniformed capacity and have daily interaction with the public, while another 400 operate in an investigative or specialized role, as detectives, SWAT officers, in narcotics and vice control, and so on. The remaining 200 or so officers work primarily in an administrative/support role, in the Records Division, Human Resources, Information Technology, and the like, though there may be times when they interact with the public in a non-administrative role (email from HPD, April 6, 2023). When use of force frequencies are recalculated for the 1600 officers who have daily interaction with the public (the first two categories), there is one use of force report per day for every 93 officers and an average of 3.9 use of force reports per officer per year.

officers, and it is an average of 3.5 use of force reports per officer per year. In terms of incidents instead of reports, there was an average of 1.5 use of force incidents per officer in 2021. In the same year, HPD officers made 25,976 arrests, which is nearly 10 times the number of use of force incidents.⁶ Only a small percentage of police interactions with the public involve the use of force, and most arrests apparently involve what HPD considers "routine handcuffing" (HPD Policy No. 1.04, p.18). In its annual use of force reports, HPD's main measure of the frequency of force was the number of police use of force incidents per 1000 calls for police service. Depending on the year, this number ranges between 1.5 and 4 use of force incidents per 1000 calls, or 1 use of force for every 400 calls (see <u>https://www.documentcloud.org/app?q=%2Bproject%3Ahpd-use-of-force-reports-49931</u>). These HPD figures are comparable to the force-per-call figures for police in Seattle and Minneapolis. They are also consistent with previous research, which finds that police in the United States "generally use force in less than 5 percent of all police-citizen encounters and less than 20 percent of arrests" (Terrill, 2020, p.75).

There are also some notable findings from our **cross-tabulations** of the HPD data for 2021. For example, citizens of Honolulu are much more likely to get hurt when they resist police than when they comply. When there is resistance, police are more likely to get injured too, though injuries to citizens are more than three times as common as injuries to police in use of force incidents. Police use of force is much more likely to be used against males than females, and men are much more likely than women to be killed by police in Honolulu. Readers of this report will not be surprised by these findings, but two results from our cross-tabs do deviate from some popular perceptions. One is that we found little evidence of significant racial or ethnic disparity with respect to the people who experienced police force in 2021, and this includes the broad category of Native Hawaiians and Pacific Islanders (NHPI). However, we did find a very large disparity in the police use of force against Micronesians. The other surprising finding is that approximately two-thirds of police use of "deadly force" incidents involved citizens who put up no resistance to police. We discuss these and other findings in the body of the report.

In the analysis of **trends from 2010 to 2021**, our most fundamental finding is a great increase in the reported use of police force over this period of time. According to HPD's own data, there were 3.7 times more police use of force incidents in 2021 than in 2010, and there was an increase in every year during this period except 2012-2013. There was a similar surge in killings by police: from 2010 to 2017 there was an average of less than one killing per year by HPD, while for 2018 to 2021 the average rose to more than 5 killings per year. On the presently available evidence, we are not able to discern how much of these remarkable increases in the use of force (described above), (2) changes in the situations that police encounter (crimes and arrests did not increase during this period, but citizen resistance to police did), and/or (3) changes in the propensity of police to use force. All three factors may help explain the huge rise in reported uses of police force over the previous decade or so, but we cannot be sure.

⁶ Researchers in the State of Hawaii Attorney General's office note that Honolulu's arrest statistics are collected and compiled using the FBI's Hierarchy Rule, which "limits arrest counts to only the most serious charge per booking" (Ishihara and Perrone, 2021, p.iii). For the Attorney General's "Crime in Hawaii" reports for 1996 to 2020, see https://ag.hawaii.gov/cpja/rs/cih/.

Our analysis of **trends** over time also shows that a large proportion of police use of force in Honolulu is directed at unemployed persons and people who used alcohol and drugs around the time of their interaction with police. From 2010 to 2021, more than 40 percent of all citizens who experienced police force were unemployed at the time of their encounter with police, and the annual figure varies during this period from a high of 56 percent in 2015 to a low of 28 percent in 2019. In 2021, the most recent year for which data are available, 36 percent of the people who experienced police force were unemployed, compared to an unemployment rate for the city of Honolulu of 4.3 percent in the same year. As these numbers illustrate, unemployed people are greatly over-represented in Honolulu's use of force statistics, and the pattern is even more conspicuous for people under the influence of drugs and/or alcohol. We therefore emphasize two conclusions discussed at the beginning of this report: police are asked to do too many things, and the use of force is often not a fair and effective response to the problems police are expected to address, such as homelessness, mental illness, and drug use.

III. Police Use of Force in Honolulu in 2021

This section proceeds in two parts, on police use of force frequencies (Tables 1-9), and on police use of force cross-tabs (Tables 10-18). The Tables can be found at the end of this report, and a few Tables are also embedded in the text below.

A. Frequencies

Of the 2646 police use of force incidents in Honolulu in 2021, 1938 involved male subjects and 643 involved female subjects, with the sex of the subject unknown in 65 incidents. Thus, in incidents where the sex of the subject was known, three-quarters (75.1 percent) of the subjects were **male** and one-quarter (24.9 percent) were **female**. It is notable but not surprising that in Honolulu police force is three times more likely to be directed at men and boys than at women and girls. A similar pattern can be found in other American jurisdictions. Throughout the country, crime, arrest, indictment, incarceration, and probation are much more likely to be experienced by males than females, and the same can be said about being subject to police force. See **Table 1**.

In 2021, the average **age** of subjects who experienced police force was 36 years old. Juveniles aged 11 to 17 were involved in 3.3 percent of all use of force incidents, and the most common age ranges were for subjects in their thirties (30.6 percent), twenties (26.1%), and forties (16.9 percent), with these three groups comprising nearly three-quarters (73.6 percent) of all use of force incidents. Subjects age 60 or more comprised only 5.5 percent of all use of force incidents. See **Table 2**.

It is difficult to discern the **race or ethnicity** of people who experience the use of force in Honolulu.⁷ To obtain this information, HPD relies on self-reporting by subjects, though police are allowed to provide a reply when a subject does not answer the relevant question. For obvious reasons, police do not try to ascertain the accuracy of a subject's self-reported race or ethnicity. We cannot vouch for the accuracy of HPD's race and ethnicity data, but analysis of the data for 2021 shows that of all reported use of force incidents in that year, 31.4 percent of subjects were Native Hawaiian or Pacific Islander,⁸ 29.8 percent were White, 9.6 percent were Black, and 7.8 percent were Filipino. The first two of these categories (NHPI and White) comprise more than 60 percent of all use of force incidents, and all four combined comprise nearly 80 percent. More than a dozen other categories of race and ethnicity comprise just 13 percent of all use of force

⁷ Incorporating racial and ethnic information into this research is challenging because race and ethnicity are difficult to define and because individuals may identify with more than one category. Moreover, as a diverse, multi-racial, and multi-ethnic state, "Hawaii faces unique challenges in incorporating race and ethnicity into research" (Kaneshiro, Geling, Gellert, and Millar, 2011, p.168). The race and ethnicity categories used in this report are based on HPD's coding of these variables. If HPD's coding is unreliable, so is our analysis.

⁸ Between 2010 and 2018, the proportion of all HPD uses of force directed at Native Hawaiians and Pacific Islanders ranged from 27 percent to 37 percent (Hofschneider, 2020). The figure for 2021 (31.4 percent) is in the middle of this range.

incidents, while race or ethnicity was unreported for an additional 8.4 percent of incidents. See **Table 3**.⁹

One important question is whether some racial and ethnic groups are disproportionately likely to be subject to police force. Our method employs an "**index of disparity**," which is calculated by dividing (a) the percentage of all HPD uses of force in 2021 that involved people of a particular racial or ethnic group, into (b) the percentage of Honolulu's population that is the same racial or ethnic group.¹⁰ A number greater than 1.0 indicates some degree of "overrepresentation" in the use of force. We stress: the following findings are tentative because we cannot ascertain the accuracy of the race and ethnicity information in the HPD dataset.

There are large racial and ethnic disparities in HPD's use of force in 2021. The index of disparity for NHPI is a modest 1.2, but when this category is disaggregated we find significant variation. For Native Hawaiians and Tongans the index of disparity is 0.6, which indicates that these two subgroups are under-represented in HPD use of force statistics. The other two subgroups in NHPI show large over-representations: 1.9 for Samoans, and 2.8 for Micronesians. Black people are also over-represented in HPD use of force statistics by a factor of 2.3. All other racial and ethnic groups are under-represented, including Whites (0.8), Koreans (0.3), Filipinos (0.2), Japanese (0.1), and Chinese (0.1). By these measures, Black people in Honolulu in 2021 were 3 times more likely to experience police force than Whites and about 20 times more likely than people of Chinese or Japanese ethnicity. Similarly, Micronesians in Honolulu were about 3.5 times more likely to experience police force than Whites and roughly 25 times more likely than people of Chinese or Japanese ethnicity. And Micronesians were nearly 5 times more likely to experience police force than Native Hawaiians. See Table 4. As discussed later in this report, people identified as Native Hawaiian or Pacific Islander are also significantly overrepresented among people in Honolulu who were killed by police or who died in custody, though the data used to arrive at this conclusion do not enable us to disaggregate the NHPI category (Jung, 2023).

How should these racial and ethnic disparities be interpreted? For starters, our analysis reveals the importance of **disaggregating the NHPI category**, because much variation is contained and

¹⁰ The population numbers for the City and County of Honolulu come from two sources. For NHPI, White, Black, and AIAN (American Indian and Alaska Native), the numbers come from the 2021 estimates at https://dbedt.hawaii.gov/economic/. All other population numbers, including those for Hawaiians, Samoans, Micronesians, and Tongans, come from the U.S. Census 2016-2020 American Community Survey 5-Year Estimates, at https://dbedt.hawaii.gov/economic/. All other population numbers, including those for Hawaiians, Samoans, Micronesians, and Tongans, come from the U.S. Census 2016-2020 American Community Survey 5-Year Estimates, at https://dbedt.hawaii.gov/economic/databook/ (see Section 1 of the State of Hawaii Data Book for 2021).

⁹ HPD is diverse. As of 2020, 25 percent of its officers were Hawaiian, part-Hawaiian, Pacific Islander, or Samoan, 14 percent were Japanese, 12 percent were White, 9 percent were Filipino, 4 percent were Chinese, 2 percent were Korean, 2 percent were Black, 19 percent were "Other," and 11 percent were "Other Mixed," but there was no separate category for "Micronesian" or "Tongan" (Hofschneider, 2020). Does police diversity lead to less use of force? Two decades ago, a review of police policy and practice concluded that "in the small body of relevant studies there is no credible evidence that officers of different racial or ethnic backgrounds perform differently during interactions with citizens simply because of race or ethnicity" (Skogan and Frydl, 2004, p.148). But more recent studies suggest that police diversity matters. For example, a study of force used by police in their responses to 1.6 million 911 calls in two American cities found that "White officers increase force much more than minority officers when dispatched to more minority neighborhoods" (Hoekstra and Sloan, 2022).

obscured in it. In addition, there is a significant difference between **disparity**, which refers to a difference, and **discrimination**, which refers to "a difference based on *differential treatment* of groups without reference to an individual's behavior or qualifications" (Walker, Spohn, and DeLone, 2004, p.16, emphasis in original). The disparities we have identified could be signs of discrimination, though this is not certain. But large disparities do suggest the possibility of discrimination against Micronesians, Samoans, and Blacks, and this means HPD use of force should be closely monitored and controlled. Generally, when racial and ethnic disparities exist in the police use of force, there may be two reasons for it: the behavior of people in some racial and ethnic groups (criminal conduct, drug or alcohol use, driving behavior, etc.) could be disproportionately attracting police attention, and/or police could be disproportionately targeting and controlling people in some racial and ethnic groups. Both processes can occur simultaneously, and the data we have do not enable us to say how they may be operating in Honolulu.¹¹ But the data do suggest there is plenty of reason for concern.¹²

¹¹ There is a long history of racism in policing and criminal justice in Hawaii (Merry, 2000; Stannard, 2006; Okamura, 2019). For a discussion of some issues in more recent years, see Hofschneider (2020), who concludes that "HPD's limited data on use of force by police indicates persistent racial disparities." For works that distinguish racial derogation from more subtle processes of hidden prejudice, implicit bias, and systemic racism, see Levinson, Cai, and Young (2010), Eberhardt (2019), and Lawrence (2020).

¹² A different method of checking for racial and ethnic patterns in police use of force was used by HPD in its "Use of Force Report" for 2021 (p.7). The HPD method compares (a) the percentage of all people subject to police force who are in a particular racial or ethnic group to (b) the percentage of all people subject to police force who are in the same group and who showed resistance to police. The premise underlying this method is that police are permitted to use force against people who resist their authority (see HPD's Use of Force Policy), and the main implication is that police force reflects subject resistance. This is consistent with research which finds that "physical acts of resistance fairly consistently increase the risk of a punitive police response" (Skogan and Frydl, 2004, p.119). But we stress the need to interpret police self-reports cautiously, for force is easier to justify when police say there was resistance, and police have incentives to report in ways that increase the likelihood their uses of force will be seen as legitimate (Terrill and Paoline, 2016, p.19). Some police even say that the main purpose of their use of force reports is "CYA" (interview with a veteran police officer). There is also the fact that some citizens resist police because they have been mistreated by police in the past or because there is a history of police mistreatment of people in their racial or ethnic group (Butler, 2017).

Race/Ethnicity	Number of Incidents	Hawaii Population 2016-2019 Avg (Race Alone) – 1,001,818	Hawaii Population 2016-2019 Avg (Race Alone or in Combination)	Disparity Index
Black	253 (9.6%)	27,299 (2.7%) *	41,575 (4.2%) *	9.6/4.2 = 2.3
Chinese	57 (2.2%)	53,958 (5.4%)	206,888 (20.7%)	2.2/20.7 = 0.1
Filipino	207 (7.8%)	209,243 (20.9%)	361,597 (36.1%)	7.8/36.1 = 0.2
Hawaiian	475 (18%)	89,768 (9%)	305,938 (30.5%)	18/30.5 = 0.6
Hispanic	101 (3.8%)	-	-	-
Indian	5 (0.2%)	2,534 (0.3%)	5,153 (0.5%)	0.2/0.5 = 0.4
Japanese	93 (3.5%)	173,572 (17.3%)	316,295 (31.6%)	3.5/31.6 = 0.1
Korean	36 (1.4%)	25,304 (2,5%)	53,965 (5.4%)	1.4/5.4 = 0.3
Laotian	6 (0.2%)	1,694 (0.2%)	2,586 (0.3%)	0.2/0.3 = 0.7
Micronesian	173 (6.5%)	20,319 (2%)	22,631 (2.3%)	6.5/2.3 = 2.8
Middle Eastern	4 (0.2%)	-	-	-
Native American	2 (0.1%)	3,224 (0.3%) *	21,666 (2.2%) *	0.1/2.2 = 0.05
Samoan	171 (6.5%)	12,609 (1.3%)	34,770 (3.5%)	6.5/3.5 = 1.9
Tongan	13 (0.5%)	4,613 (0.5%)	8,798 (0.9%)	0.5/0.9 = 0.6
Vietnamese	17 (0.6%)	10,983 (1.1%)	15,955 (1.6%)	0.6/1.6 = 0.4
White	789 (29.8%)	213,140 (21.3%) *	391,127 (39.1%) *	29.8/39.1 = 0.8
Other	22 (0.8%)	-	-	-
Unknown	222 (8.4%)	-	-	-
NHPI	832 (31.4%)	100,059 (10%) *	260,085 (26%) *	31.4/26 = 1.2

Table 4 - HPD Use of Force and Racial & Ethnic Disparities, 2021

Source: 2021 HPD Use of Force Data, 2021 Census Population Estimates, & 2021 The State of Hawaii Data Book

HPD activities occur in **8 districts** within the City and County of Honolulu. In 2021, District 1 (Downtown, Chinatown, Kakaako) had the most use of force incidents (25.1 percent of the total), followed by District 6 (Waikiki) with 15.6 percent, District 5 (Kalihi) with 12.8 percent, and District 8 (Kapolei) with 12.6 percent. Together, these four districts accounted for approximately two-thirds (66.1 percent) of all use of force incidents on the island of Oahu in 2021, with Districts 2 (Wahiawa), 3 (Pearl City), 4 (Kaneohe, Kailua, Kahuku), and 7 (East Honolulu) accounting for the remaining one-third. See **Table 5**.

Each HPD district is divided into **beats**, which range in number from 13 to 26 per district, for a total of 158 beats in all. A detailed analysis of police use of force by beat is beyond the scope of this study, but the data do show that police use of force is concentrated in some beats. For example, just 30 beats (less than 20 percent of all beats) account for more than 45 percent of all uses of force, and the ten beats with the most uses of force (six of which are in District 1 and three of which are in District 6) account for nearly 23 percent of all uses of force. Similarly, 30 beats account for nearly 43 percent of all uses of deadly force (which is defined below), and the ten beats with the most uses of deadly force (five of which are in District 1 and two of which are in District 6) account for more than 17 percent of all uses of deadly force. As these numbers illustrate, police use of force on Oahu is more common in the most urban parts of the island.

There are many **types of incidents** involving the police use of force. In 2021, by far the most common concerned the mental health of a subject (17.2 percent). The rest of the top ten incident types include miscellaneous public order cases (6.8 percent), disorderly conduct (4.7 percent), harassment (4.5 percent), unauthorized control of a propelled vehicle (3.8 percent), assault 3 (3.5 percent), abuse of family/household member (3.4 percent), criminal contempt of court (3.4 percent), resisting arrest (3.2 percent), and promoting gambling (1.7 percent). Together, these ten categories comprise a little more than half (52.2 percent) of all incident types. All remaining incident types (47.8 percent) have been grouped together as "Other." The four most frequent incident types constitute about one-third of all HPD uses of force, and with all four a significant proportion of the force is directed at some of Honolulu's most disadvantaged people. This is not necessarily the fault of the police. As former Dallas Police Chief David Brown observed, "We are asking cops to do too much in this country. We are. Every societal failure, we put it off on cops to solve. Not enough mental health funding, let the cops handle it... Policing was never meant to solve all these problems" (quoted in Friedman, 2021). See **Table 6**, and see also the discussion of HPD use of force trends in section IV of this report, below.

As explained above, there are **seven levels of police force**, ranging from verbal command on the low end of the continuum to deadly force on the high end. The most common forms of police force were physical confrontation, which accounted for more than half (53.4 percent) of all incidents, and deadly force, which accounted for 20.6 percent. As the latter number indicates, more than one in five police use of force incidents involved the threat or use of deadly force. This occurred 545 times in 2021, which is an average of 10.5 deadly force incidents per week (intermediate weapons and less lethal ammunition were used another 140 times, or about 2.7 incidents per week). HPD's present approach requires officers to report the use of "deadly force" not just when an officer points or shoots a weapon but whenever a firearm is unholstered (authors' interview with an HPD official, February 22, 2023). There are apparently many occasions in which HPD policy and training mandate the unholstering of a firearm, as when a

building is searched because a burglary may be in progress. But HPD's current definition of deadly force is "broad and unorthodox" (authors' interview with Arizona State University Professor William Terrill, January 30, 2023), and we were told that HPD may narrow its definition in the near future. See **Table 7**.

Police use of force can be precipitated by a **subject's resistance**, and HPD policy states that police may only use "the amount of force that is necessary to overcome the resistance offered" (Policy Number 1.04). In 2021, police reported some form of resistance in 82.8 percent of all use of force incidents, and they also reported that 46.3 percent of all people subject to the use of force were "mentally deranged," and 45.4 percent had "great anger." The most common forms of resistance occurred in the middle range between mild and strong resistance, with police reporting a subject's "defensive resistance" in nearly 40 percent of all incidents. Higher levels of resistance occurred in about one-quarter of all incidents, with active resistance, active aggression, or aggravated active aggression accounting for 25.6 percent of all incidents. On the low end of the resistance spectrum, the three weakest forms (psychological intimidation, verbal noncompliance, and passive resistance) occurred in 17.6 percent of all incidents. There was no resistance in 17.2 percent of all use of force incidents (455 cases). It is unclear why police used force in those "no resistance" circumstances. See **Table 8**.

When police use force, injury or death can occur to subjects and to the police. Police reported **injury to a subject** (bodily, substantial, or serious) in 14.1 percent of all use of force incidents (n=371), or about one in seven cases. The death of a subject occurred in 7 other incidents. Conversely, no injury to the subject was reported in 80.6 percent of all use of force incidents, and no injury was observed by police but the subject complained of injury in 5.1 percent of all cases. See **Table 9**.

Police were injured much less often than subjects, with no injury to police observed in 95.1 percent of all use of force incidents (n=2516), while no injury was observed but a police officer complained of injury in 14 additional incidents (0.5 percent). Conversely, 116 bodily injuries occurred to police in use of force incidents in 2021, which is one injury for every 15.5 sworn officers in the department. More than 90 percent of these injuries were not deemed "substantial" or "serious." In 2021, 10 officers experienced "substantial" or "serious" injury, which means there was one such injury for every 180 officers in the department. In the same year, no police were killed during use of force incidents. See **Table 10**.¹³

¹³ HPD's Roll of Honor commemorates police officers who "through their dedicated and selfless efforts, sacrificed their lives in the protection of the rights, liberties, and happiness of their community." As of March 2023, the Roll of Honor lists 50 police officers who died in the line of duty since 1851. Of the 13 officers who perished in the last 30 years, 9 died in accidents (car, motorcycle, or helicopter), 1 died of a heart attack while trying to break up a fight, and 3 were shot and killed. The most recent fatalities are Officer Tiffany-Victoria Enriquez and Officer Kaulike Kalama, who were killed on January 29, 2020 while they were responding to a call about a stabbing in the Diamond Head area. Their deaths strongly impacted many HPD officers (Lum and Jung, 2020), but according to two independent law enforcement experts, the Department's report about this incident "fails to address how future tragedies could be avoided" (Geanous, 2022). For more details about police deaths in the line of duty in Honolulu, see https://www.honolulupd.org/about-us/roll-of-honor/.

The findings about police injuries raise an important question: How dangerous is the occupation of policing? In some sociological studies, danger and authority are deemed "principal features of the police role" that combine to produce a distinctive world view, "sometimes leading to admirable valor, sometimes to brutality and excessive force, and sometimes to a banding together, a cover-up, a conspiracy of silence" (Skolnick and Fyfe, 1993, p.90). Georgetown University Professor of Law Rosa Brooks (who became a reserve officer with the Metropolitan Police Department in Washington, DC) observes that "the belief that police face constant mortal danger is a central part of most officers' sense of professional identity" (Brooks, 2021, p.311). She also notes that statistically,

"...being a police officer is less dangerous than most people think. According to the Bureau of Labor Statistics, the most dangerous jobs in America are logging, fishing, being a pilot or flight engineer, roofing, refuse collection, structural iron- and steelwork, truck driving, farming and ranching, construction supervision and first-line extraction, and ground maintenance. Police work doesn't even make it into the top ten. As dangerous jobs go, being a cop ranks just below construction labor and just above electrical power line installation and repair. (Brooks, 2021, p.311).¹⁴

In short, being a police officer is not as dangerous as common narratives claim it is. "This matters, because the exaggerated sense of risk drives how officers respond to the unexpected. When you start with the belief that you're in constant danger, you're more likely to perceive situations as threatening...When you're trained to believe that potential threats can come from anywhere, you start seeing threats everywhere" (see Brooks, 2021, pp.310-320). The "beware of danger!" mindset protects police in some situations, but it also produces much unnecessary and excessive force, including what has been called "pre-emptive fatal force." As Professor Brooks asks, "What if instead of telling officers they have a right to go home safe, police training focused on reminding officers that members of the *public* have a right to go home safe?"

B. Cross-tabs

The previous section used simple frequency counts to summarize some of the broad statistical contours of the police use of force in Honolulu in 2021. This section uses cross-tabulations to describe how police use of force is related to other relevant variables.

Table 11 summarizes the relationship between **police use of force and subject resistance**. As defined by HPD, "deadly force" does not necessarily indicate that a firearm was discharged or aimed at someone (HPD Use of Force 2021 Report, p.10). HPD officers are trained to unholster their firearms when responding to potentially dangerous situations (as when a burglary may be in progress or a building needs to be searched), and in the Department's Case Report System this is counted as a "deadly force" incident. In 2021, only 6 of 540 deadly force incidents (1.1 percent)

¹⁴ From 2006 to 2015, an average of 50 police officers in the United States were feloniously killed per year, among a total of more than 800,000 police nationwide (about 1 officer in 16,000). But in 2021, 73 police were killed, which was nearly 60 percent more than the 46 police who were killed in 2020 (FBI Law Enforcement Bureau, 2022). Every year, more police and former police die by suicide than are feloniously killed (Barr, 2020).

resulted in the discharge of a firearm. Some might suppose that the threat of "deadly force" is most common in situations of high resistance, but that does not appear to be the case. The most striking pattern in Table 11 is that more than two-thirds (67.9 percent) of all deadly force was used by police in situations in which subjects put up "no resistance." It is unclear why police use deadly force (or prepare to use it) so often in this circumstance, but it is notable that of the 452 use of force incidents in which subjects put up no resistance, police threatened or prepared to use deadly force more than 80 percent of the time (n=370). (The year 2021 is not exceptional in these respects, for similar deadly force patterns are observed in HPD's annual use of force reports for 2010 to 2021.) We cannot be sure, but these figures may mean that there are many occasions in which police policy and/or training mandate the unholstering of a firearm.¹⁵ Whatever the reasons, HPD and the Honolulu Police Commission should provide explanations for these deadly force patterns.

	Verbal command	Physical contact	Chemical agent	Physical confrontation	Intermediate weapon, CEW, Specialty weapon	Less lethal ammunition	Deadly force	Total
No resistance	4	23	6	30	16	3	370	452
	28.6%	4.6%	18.2%	2.1%	12.1%	37.5%	67.9%	17.1%
Psychological intimidation	0	11	0	13	2	0	14	40
	0.0%	2.2%	0.0%	0.9%	1.5%	0.0%	2.6%	1.5%
Verbal noncompliance	5	52	5	51	12	3	39	167
	37.5%	10.5%	15.2%	3.6%	9.1%	37.5%	7.2%	6.3%
Passive	0	95	1	144	6	1	12	259
resistance	0.0%	19.2%	3.0%	10.2%	4.5%	12.5%	2.2%	9.8%
Defensive	3	234	6	742	28	0	32	1045
resistance	21.3%	47.2%	18.2%	52.5%	21.2%	0.0%	5.9%	39.6%
Active resistance	1	61	6	295	33	0	20	416
	7.1%	12.3%	18.2%	20.9%	25.0%	0.0%	3.7%	15.7%
Active aggression	0	20	9	127	25	1	12	194
	0.0%	4.0%	27.3%	9.0%	18.9%	12.5%	2.2%	7.3%
Aggravated active aggression	1	0	0	12	10	0	46	69
	7.1%	0.0%	0.0%	0.8%	7.6%	0.0%	8.4%	2.6%
Total	14	496	33	1414	132	8	545	2642
	100%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 11- Officer Force and Subject Resistance, 2021

Source: 2021 HPD Use of Force Data

Table 12 summarizes the relationship between **subject resistance and subject injuries**. Three patterns are notable. First, in all seven categories of resistance most of the subjects came away with no injuries, and 80.6 percent of all subjects who experienced the police use of force had no injury. Second, of the seven subjects who died after the police use of force in 2021, four resisted

¹⁵ In 2021, HPD officers used "deadly force" in 61 of the 101 (60 percent) use of force incidents involving "unauthorized control of a propelled vehicle" (UCPV), and subjects showed "no resistance" in 42 of these cases (69 percent). Thus, UCPV cases accounted for 11.3 percent of all "deadly force" incidents in 2021, and 11.4 percent of all deadly force incidents in which subjects showed no resistance.

with "aggravated active aggression," three put up no resistance at all, and no subject died while resisting with one of the five levels of resistance between these two extreme categories. Third, the likelihood of injury is more than five times higher among subjects who resisted (22.5 percent) than among subjects who did not (4.2 percent). One challenge for police going forward is how to interact with citizens in ways that prevent people from resisting (see HPD's deescalation policies and training). Of course, this is not completely under police control, but how police act is one important part of all social interactions with citizens.

Table 13 summarizes the relationship between **subject resistance and police injuries**. Here, the main finding is that officers are much more likely to get injured when subjects put up greater resistance. For example, in the top half of this table which depicts the lowest four levels of subject resistance, the officer injury rate was 1.5 percent (14 officers injured in 921 incidents). In contrast, in the bottom half of this table which depicts the highest four levels of subject resistance, the officer injury rate of 5.9 percent was nearly four times higher (102 officers injured in 1725 incidents). In addition, eight of the ten "substantial" or "serious" bodily injuries to police occurred in incidents with high levels of subject resistance. These patterns reinforce our impression that an important challenge for police is how to interact in ways that prevent subjects from resisting, for success in this regard is likely to lead to more safety for both citizens and police.

Table 14 summarizes the relationship between **police use of force and subject injuries**. The lowest four levels of police force resulted in 289 subject injuries in 1957 incidents, for a subject injury rate of 14.8 percent, while the highest three levels of police force resulted in 96 subject injuries in 685 incidents, for a slightly lower subject injury rate of 14.0 percent. However, there were more serious subject injuries when police used more force, as 12 of the 16 subjects who experienced "substantial" or "serious" bodily injury had encountered the three highest levels of police force, while all seven of the subjects who died experienced the police use of "deadly force."

Table 15 summarizes the relationship between **police use of force and police injuries**. Overall, there were less than one-third as many officer injuries (116) as subject injuries (385), and there were fewer substantial and serious injuries to police as well (and no police deaths). It is also noteworthy that the police injury rate was a little lower when police used more force. For the lowest four levels of force the officer injury rate was 4.8 percent (93 officers injured in 1957 incidents), while the officer injury rate for the highest three levels of force was 3.4 percent (23 officers injured in 685 incidents). It is hard to say for sure, but this finding raises the possibility that in some circumstances more police use of force may help to keep police safe.

Table 16 summarizes the relationship between **subject injuries and police injuries**. There are four main patterns. The first and most common is no injuries to subject or police, which occurred in 83.8 percent of all incidents. In other words, an injury to someone occurred in 16.6 percent of all use of force incidents – about one case in every six. Second, both a subject and a police officer were injured in 2.1 percent of all incidents (about one case in 50). Third, a police officer was injured and the subject was not in 2.3 percent of all incidents. And fourth, a subject was injured but police were not in 12.2 percent of incidents. The last two findings indicate that when one person is injured, that person is more than five times as likely to be a private citizen as a

police officer. This has obvious but important implications for citizens interacting with the police, for resistance is much more likely to result in injury to the civilian than to the officer.¹⁶

Table 17 summarizes the relationship between **police use of force and the subject's sex**. As described above, approximately three-quarters of all subjects were male and one-quarter were female. At the highest end of the use of force continuum, deadly force (which includes the unholstering of a firearm) was used in 21.8 percent of all use of force incidents involving males compared to 14.0 percent of all use of force incidents involving females. Similarly, more than three-quarters (77.6 percent) of all deadly force incidents involved males while just 16.5 percent involved females – a disparity of 4.7 to 1. By these and other measures, police use and prepare to use deadly force much more commonly against males than females.

Table 18 summarizes the relationship between **use of force and subject ethnicity** for each level of police force. Deadly force was used in nearly 20 percent of all incidents for which the subject's ethnicity is known (465 out of 2422 cases). For each of the four largest ethnic groups – Native Hawaiian and Pacific Islander (who comprised 34.4 percent of all subjects in this dataset), White (32.6 percent), Black (10.4 percent), and Filipino (8.5 percent) – the percentage of all uses of deadly force varied little from the percentage of subjects in each ethnicity, with NHPI (38.5 percent) and Filipino (9.9 percent) percentages a little higher, and White (26.9 percent) and Black (9.0 percent) percentages a little lower. As explained above in relation to Table 3, the HPD data for 2021 do not reveal large racial or ethnic disparities in who experienced the threat or use of deadly force.

Table 19 summarizes the relationship between **seven levels of police force and ten incident types** which accounted for a little more than half (52.2 percent) of all use of force incidents. This table is dense and complex, but one striking finding concerns the threat or use of deadly force. Four incident types were especially likely to attract a potentially lethal police response: (a) mental health incidents, which comprised 32.9 percent of all use of force incidents and 15.1 percent of all deadly force incidents; (b) miscellaneous public incidents,¹⁷ which comprised 13.0 percent of all use of force incidents and 26.2 percent of all deadly force incidents; (c) promoting gambling incidents, which comprised 3.2 percent of all incidents and 19.6 percent of all deadly force incidents involving the unauthorized control of a propelled vehicle, which comprised 7.3 percent of all incidents and 27.1 percent of deadly force incidents. As these measures show, the threat or use of deadly force is much more common in some kinds of cases than in others. It is also noteworthy that nearly 80 percent of all mental health cases (n=454) involved police use of force in the top five levels of force ("chemical agent" or higher), and nearly 13 percent of all mental health cases involved a Taser, less lethal ammunition, or deadly

¹⁶ For practical suggestions about how to say "No" to the police, see <u>https://www.hg.org/legal-articles/how-do-i-say-no-to-the-police-31095</u>. One of the main suggestions is "Do Not Resist," which is explained as follows: "Do not argue with the officer, do not touch the officer, do not run, do not complain, and whatever you do, do not threaten the officer in any way, even if it is a legally justifiable threat like 'I am going to contact your commanding officer.' Chances are, your threat will elevate the tension and result in something very unpleasant happening to you."

¹⁷ The "miscellaneous public" category includes various non-criminal incidents. Here is one example from HPD's 2021 use of force report, which we have paraphrased: Officers responded to a possible burglary in progress that reportedly involved several subjects entering an apartment. Upon entering the apartment, the officers unholstered their weapons as a precaution against ambush or attack.

force. These numbers suggest that police frequently respond with high levels of force to people with mental health problems.

	Verbal command	Physica1 contact	Chemical agent	Physical confrontation	Intermediate weapon, CEW, Specialty weapon	Less lethal ammunition	Deadly force	Total
MH-1	1	98	3	295	22	1	34	454
	14.3%	38.1%	17.6%	36.7%	32.4%	33.3%	15.1%	32.9%
Miscellaneous	3 42.9%	39	3	66	9	1	59	180
public		15.2%	17.6%	8.2%	13.2%	33.3%	26.2%	13.0%
Promoting	0	0	0	0	0	0	44	44
gambling	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	19.6%	3.2%
Harassment	0	20	2	92	5	0	1	120
	0.0%	7.8%	11.8%	11.5%	7.4%	0.0%	0.4%	8.7%
Disorderly	0	30	2	88	3	0	1	124
conduct	0.0%	11.7%	11.8%	11.0%	4.4%	0.0%	0.4%	9.0%
Unauthorized control of propelled vehicle	0 0.0%	1 0.4%	1 5.9%	34 4.2%	4 5.9%	0 0.0%	61 27.1%	101 7.3%
Abuse of family/household member	0 0.0%	21 8.2%	2 11.8%	47 5.9%	10 14.7%	0 0.0%	10 4.4%	90 6.5%
Assault	2	22	3	56	3	0	7	93
	28.6%	8.6%	17.6%	7.0%	4.4%	0.0%	3.1%	6.7%
Criminal contempt	1	22	1	54	5	0	6	89
of court	14.3%	8.6%	5.9%	6.7%	7.4%	0.0%	2.7%	6.4%
Resisting arrest	0	4	0	71	7	1	2	85
	0.0%	1.6%	0.0%	8.8%	10.3%	3.3%	0.9%	6.2%
Total	7	257	17	803	68	3	225	1380
	100.0%	100.0%	100.0%	110.0%	100.0%	100.0%	100.0%	100.0%

Table 19 - Officer Force and Incident Type, 2021

Source: 2021 HPD Use of Force Data

IV. Police Use of Force Trends in Honolulu from 2010 to 2021

The frequencies and cross-tabs summarized in section III provided snap-shots of some aspects of the police use of force in Honolulu in a single year. Those data and descriptions identified some important facts, but they revealed little about the legality or propriety of HPD use of force in 2021. That account also did not say **how HPD use of force is changing over time**. Answering this question about trends is the purpose of the present section. We stress: it is not an easy question to answer.

Figures 1 to 21 summarize HPD use of force trends for 2010 to 2021 (all Figures are found at the end of this report, and a few are also embedded in the text below). As explained above, HPD's reporting about the use of force changed during this period. Most notably, a computerized Case Report System (CRS) was implemented in November 2016. The CRS system is a welcome change because it apparently resulted in more detailed and comprehensive counts of force (authors' interview of HPD officer, February 22, 2023), but the change also makes it difficult to interpret statistical trends over time, for change in the use of force counts may not only reflect real changes in police behavior but also changes in HPD's reporting policy as well as changes in the propensity of individual officers to comply with that policy. Despite these difficulties, questions about change are so important that we try to address some of them in this section.

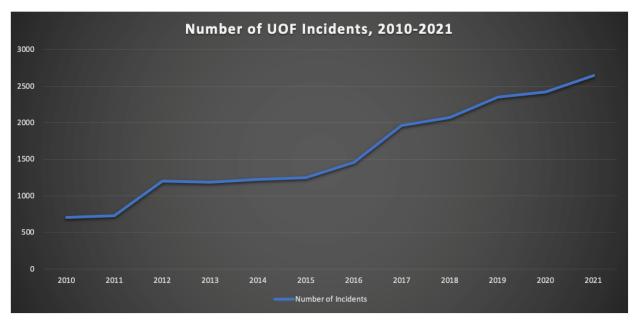
Based on the available data – the HPD dataset for 2021 and HPD's annual use of force reports for 2010 to 2021 – the figures discussed in this section show **very large increases in the police use of force** over the last decade or so. It is impossible to discern how much of each increase is caused by an actual rise in police use of force ("real increases") and how much is caused by changes in police reporting ("artifactual increases"). In some if not many instances of change over time, it may be some combination of both.¹⁸

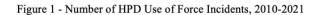
Figure 1 shows that the number of use of force incidents recorded by HPD rose from 706 in 2010 to 2646 in 2021 – **an increase of 275 percent**. To put this huge increase in perspective, note that over the same period of time the number of crimes in Honolulu declined by almost 10 percent (and by 46 percent from 2002 to 2021). In other words, there were 3.7 times more police use of force incidents recorded by HPD in 2021 than there were in 2010, and an increase occurred every year in this interval except 2012-2013. Note, too, that in the years before HPD fully changed over to the Case Report System (2010 to 2016), the number of use of force incidents more than doubled, from 726 to 1460, before almost doubling again by 2021. These numbers suggest that the increase in use of force by HPD cannot be solely explained by the reporting change that took effect in November 2016. More generally, even if a change in police reporting explains half of the increase in use of force incidents from 2010 to 2021 (which would mean massive under-reporting of the use of force occurred in the earlier years of this interval), there would still be a real increase in the police use of force that exceeds 130 percent in a 12-year period. An increase of this magnitude – 275 percent or 130 percent or even 50 percent – over such a short period of time should have attracted serious attention from the Honolulu Police

¹⁸ An HPD official told us that large statistical increases in the use of force from 2010 to 2021 probably reflect both improvements in police reporting and real increases in the police use of force, which (he believes) might partly be attributed to the increased frequency and intensity of subjects' resistance to police authority. This hypothesis could be one focus of future research.

Commission, the Honolulu City Council, the mayor of Honolulu, the state legislature, local journalists, and others. But to our knowledge, nobody outside of HPD has noticed this remarkable change.

It is difficult to **compare** police uses of force across different police departments in the United States because definitions, categories, and reporting practices vary. However, we know of no large American police department in which the total number of use of force incidents has risen as rapidly as HPD in recent years. In some departments the number has declined significantly. In the Minneapolis Police Department, for example, the total number of use of force incidents dropped from 1488 in 2008 to 247 in 2019 (George Floyd was killed in May 2020) – a decline of 83 percent (Minneapolis Police Use of Force Dashboard, 2023). And in the Seattle Police Department, total "use of force declined 33% from 2015 to 2019 and nearly 50% from 2015 to 2021" (King 5 Staff, 2022; Seattle Police Department Use of Force Data, 2023).¹⁹





Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

¹⁹ Some students of policing recommend not using third-party scorecards because the data sources, composite analyses, and comparisons across departments can be unreliable. These are serious concerns, but we do want to acknowledge different information sources. As of March 2023, Police Scorecard (2023) assigned HPD a score of 64 percent for "police violence," which is a composite measure of scores for four police behaviors involving the use of force: force used per arrest, deadly force per arrest, unarmed victims of deadly force per arrest, and racial disparities in deadly force. HPD's score is apparently a good one, for Police Scorecard's rankings are based on a 0 to 100 percentage scale, and the highest score it assigned to any of the 500 departments for which it had "obtained the most data" was 65 percent. More broadly, Police Scorecard ranked HPD 25th out of 500 police departments on measures related to four aspects of policing: police violence (64%), police funding (63%), police accountability (44%), and approach to law enforcement (69%). For more details, see https://policescorecard.org/hi.

Figure 2 shows that **the increase in police use of force is apparent in all 8 districts** in Honolulu. What is more, increases in the use of force are evident in all 8 districts both before and after the change to a Case Report System late in 2016. These district trends reinforce our impression that the large increases in reported use of force in recent years are not only the result of changes in HPD reporting policies and practices. It appears police in Honolulu are really using more force than they used to.

Figure 3 shows **large increases in many types of police force** from 2010 to 2021. For example, the number of "physical contacts" increased from 178 in 2010 to 496 in 2021, which is an increase of 179 percent. Similarly, the number of "physical confrontations" increased from 225 in 2010 to 1414 in 2021, which is an increase of 528 percent. And as explained in more detail below, police use of deadly force increased from 181 incidents in 2010 to 545 in 2021. In contrast, police uses of a chemical agent ranged between 69 and 104 incidents per year between 2010 and 2020 before falling to 33 uses in 2021, while uses of intermediate weapons surged to 132 in 2021 after ranging between 15 and 56 over the previous decade. According to an HPD officer (March 31, 2023), the increase in use of intermediate weapons "can most likely be attributed to the purchase, training, and deployment of Conducted Energy Weapons," which are more commonly referred to as "Tasers." On this view, as Tasers became more available to officers in the field, they were used as an alternative to other use of force options, such as a baton or OC (oleoresin capsicum), which is a kind of pepper spray. Overall, the evidence summarized in Figure 3 shows very large increases in police use of force across many but not all types of force.

Figure 4 depicts **the type of police force** used as a percentage of all use of force incidents for each year from 2010 to 2021. There are three noteworthy patterns. First, use of chemical agents declined dramatically, from 11.7 percent of all use of force incidents in 2010 to just 1 percent in 2021. This is probably good news, for studies show that exposure to some chemical agents can cause blindness, miscarriages, respiratory damage, and other injuries. Second, physical contacts by police with citizens have also decreased, from 25.9 percent of all use of force incidents in 2010 to 20 percent in 2021. And third, physical confrontations with citizens, which are a more serious use of force than physical contacts, have increased continuously and markedly, from less than a third (32.1 percent) of all use of force incidents in 2010 to more than half (54 percent) in 2021.

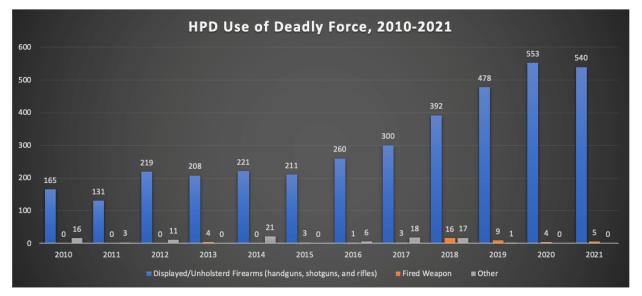
Figure 5 shows that the number of **uses of "deadly force" in Honolulu tripled** from 181 in 2010 to 545 in 2021. This is an increase of 200 percent, though the proportion of all police force that was "deadly" has remained relatively constant over time, around 20 percent of all use of force incidents throughout this period. As described above, HPD's deadly force figures include the unholstering of firearms without pointing or shooting, and it seems such incidents account for the vast majority of deadly force incidents in every year of our analysis. Of course, unholstering is itself a serious exercise of police force that can lead to grave consequences, so it needs to be carefully regulated by police policy, training, and oversight.

We also have figures for (a) killings by police and (b) firearms discharged by police for each year from 2010 to 2021. The available data (from HPD's annual use of force reports) show very

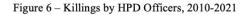
large increases in both of these measures.²⁰ See **Figure 6** and **Figure 7**. The average number of **killings by police** during this 12-year interval is 2.3 per year, but there was a sharp rise after 2017, the causes of which are unclear. From 2010 to 2017 there was an average of less than one killing (0.9) by HPD per year, but for the four years from 2018 to 2021 the average was 6 times higher (5.3 killings per year). The rise for **firearms discharged** is similarly steep. From 2010 to 2021 the average number of firearms discharged by HPD was 3.8, but there was a sharp rise after 2017, with the average number of discharges increasing from 1.4 per year for 2010 to 2017 to 8.8 per year for 2018 to 2021 – another six-fold surge. Some of the killings by police were avoidable and unnecessary even though they were deemed legal. In this sense they were "lawful but awful," and they ought to be a focus of police reform (Zimring, 2017; Johnson, Chesney-Lind, and Chagnon, 2019).²¹

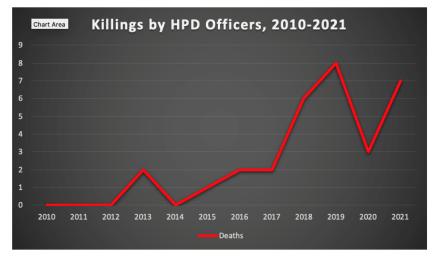
²⁰ As mentioned in Part I of this report, HPD has not kept accurate and consistent records of how many people its officers kill (Hofschneider, Jung, and Grube, 2020). The trends depicted in Figure 6 (killings by HPD officers, 2010-2021) and Figure 7 (HPD firearms discharged, 2010-2021) are based on HPD's annual use of force reports, which have different numbers than those provided by HPD's Professional Standards Office (PSO). HPD acknowledged this problem in its use of force report for 2019 when it stated that "reporting discrepancies between statistics obtained from the Professional Standards Office (PSO) and the RMS (via the Case Report System) were due to each division maintaining their own separate databases." Another complication is that some of HPD's annual reports include PSO numbers alongside the RMS/CRS numbers for deaths and firearm discharges, but some of the PSO numbers do not match the PSO numbers HPD gave us in March 2023. Despite these data inconsistencies, analysis of the PSO numbers provided by HPD (see Figure 7b) do not alter our main findings, that there have been large increases in the number of people killed by HPD and in the number of firearms discharged. For example, according to the PSO numbers, in the six years from 2010 to 2015 there were 8 people killed by police and 3 more who died in custody, for a total of 11 "subjects that expired as a result of force." By comparison, in the six years from 2016 to 2021 there were 20 people killed by police and 2 more who died in custody, for a total of 22 "subjects that expired as a result of force." The number of firearms discharged by HPD officers nearly doubled as well, from 18 in 2010-2015 to 35 in 2016-2021.

²¹ One question is whether police from some backgrounds are more likely to use lethal force. We do not have data for Honolulu, but research by The Marshall Project found that officers who are military veterans are more likely to use force, more likely to fire their guns, and more likely to be involved in fatal shootings than their non-veteran counterparts (Lepore, 2020). Approximately 19 percent of police officers are veterans, making policing the third most common occupation for vets behind truck-driving and management (Weichselbaum and Schwartzapfel, 2018).



Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data





Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

The **longer-term trend in killing by police in Honolulu** is also troubling. Research shows that over the 50-year period from the 1970s through the 2010s, fatal shootings by police in 18 large American cities (combined) declined (per capita) by 69 percent (Moskos, 2023). Moreover, fatal shootings declined in 13 of 18 cities in this study. In New York City the decline was 87 percent. In Chicago the decline was 76 percent. In Philadelphia the decline was 72 percent. In Los Angeles the decline was 63 percent. In San Diego the decline was 49 percent. And in Oakland

the decline was 26 percent. Over the same 50-year period, fatal shootings by police increased in five of the 18 cities, and the 248 percent rise in killings by police in Honolulu was by far the largest increase. The other cities that experienced an increase were San Jose (+38 percent), Portland (+10 percent), Kansas City (+9 percent), and Rochester (+8 percent). In percentage terms, the rise in Honolulu was 15 times greater than the average rise in the other four cities that experienced an increase, but as a matter of math, large percentage increases are more likely to occur when the base rate is low, and the base rate for Honolulu in the 1970s was the lowest (0.1 fatal police shootings per 100,000 population) of all the cities in this study (Moskos, 2023). Nonetheless, the large change in Honolulu (a quadrupling of the average annual number of fatal police shootings and a tripling of the per capita rate) is in the wrong direction compared with the significant decline in fatal police shootings in many large American cities over the past half century. Indeed, by 2015-2021 the fatal police shooting rate in Honolulu (0.3 per 100,000 population) was about the same as the rates in Chicago, Dallas, and Philadelphia, and it was significantly higher than the rate in New York City (0.1), even though these other cities have significantly higher rates of violent crime than Honolulu. Understanding the contexts and causes of Honolulu's steep increase in killings by police should be a high priority for HPD, the Honolulu Police Commission, and the Honolulu City Council.²²

Our final comments about death and policing in Honolulu are based on a Civil Beat website which describes "Hawaii Police Killings and In-Custody Deaths, 2010 to the Present" (https://cbmultimedia.pythonanywhere.com/). As of March 2023, this archive describes 65 police killings and in-custody deaths in the state since 2010. Of this total, 40 (62 percent) occurred in Honolulu: 16 in the eight years from 2010 to 2017 (an average of 2 deaths per year), and 24 in the five years from 2018 to 2022 (an average of almost 5 deaths per year).²³ Seven of the 40 deceased persons in Honolulu were of "unknown" race or ethnicity. Analysis of the 33 cases in which race and ethnic information is known shows that that more than half (55 percent) of the people who died were Native Hawaiian or Pacific Islander. Thus, according to Civil Beat's archive, NHPI persons are significantly overrepresented among people in Honolulu who are killed by police or who die in custody. This conclusion is consistent with data from the "Mapping Police Violence" website (https://mappingpoliceviolence.org/), which reports that per capita, black people in the United States are 2.9 times more likely than white people to be killed by police, while Native Hawaiian and Pacific Islander people are 3.8 times more likely than white people to be killed by police. In other words, NHPI people are about one-third more likely than black people to be killed by police.²⁴

²² Cross-national studies of killings by police find that countries with high levels of fatal police violence often have elevated rates of gun violence and high levels of ethno-racial inequality and discord. In the United States these contributing causes are exacerbated by the "radically decentralized structure of U.S. policing," which limits the influence of external oversight and makes training and policy implementation more difficult (Hirschfield, 2023). Note, however, that as large American cities go, Honolulu has little gun violence and (as discussed below) comparatively few fatal shootings by police that are provoked by the presence of a gun.

²³ Of the 40 people who have died in Honolulu since 2010, 34 were killed by police and six died in custody. Of the latter, five became unresponsive after being handcuffed and/or shackled, and one was killed by correctional officers after escaping from the OCCC jail (Jung, 2023).

²⁴ More generally, research by the Centers for Disease Control and Prevention suggests that "Native American people are killed in police encounters more than any other ethnic group" (Powell, 2021).

There are also interesting patterns concerning the **weapons people possessed at the time of their death**. Nationwide, the possession of a firearm is considered a "provocation" in more than half (56 percent) of all killings by police (Zimring, 2017, p.57). According to the data in *Civil Beat*'s archive, a gun was present in 11 of the 34 deaths (32 percent) that occurred in Honolulu between 2010 and 2022 that were not deaths in-custody. Conversely, knives and other cutting tools (26 percent) and vehicles (26 percent) figured much more prominently in Honolulu death statistics than in comparable statistics for the rest of the country, and there was no weapon at all in 7 of the 34 deaths (21 percent) that occurred out of custody in Honolulu. Research shows that people with knives rarely pose a significant risk to police. One prominent scholar even "wonders whether such weapons should really be considered deadly weapons" (Zimring, 2017, p.97). Similar questions can be asked about the threat posed by people in vehicles. In short, the evidence about weapons and killing by police reinforces the impression that HPD is using lethal force too often (see also Johnson, Chagnon, and Chesney-Lind, 2019).

Figure 8 shows the **number of people injured by police** in Honolulu from 2010 to 2021. In 2021 some 371 people experienced non-lethal injuries from the police use of force – about one person per day. And from 2010, when there were 156 injuries, to 2019, when there were 497, the number of people injured more than tripled. Similarly, in the first half of the period depicted in Figure 8 (2010-2015), an average of 192 people were injured by police force each year, while in the latter half the annual average number of injuries rose to 338. This is a rise of 76 percent in just a handful of years. Part of this rise may be the result of changes in police reporting, but the increased use of force by HPD has apparently resulted in a real and substantial increase in the number of people injured.

Figure 9 shows that reported use of force by police in Honolulu increased dramatically between 2010 and 2021 for both sexes, by 244 percent for **males** and by 444 percent for **females**. After the change to the Case Report System in November 2016, it is unclear why the use of force against males plunged from 1526 incidents in 2017 to 1011 in 2018, or why uses of force then rose to 1790 in 2019. Similar post-reform oscillations are seen for females, who were subject to 374 uses of force in 2017, 274 in 2018, and 508 in 2019. Research suggests a national trend of greater increases in police use of force against men increased 100 percent while increasing 353 percent for women (Prison Policy Initiative, 2019). The large fluctuations for males and females in Honolulu are also difficult to reconcile with claims that the advent of the Case Report System led to more comprehensive reporting of use of force by HPD. If the new system has led to more reporting, it has not done so in any clear or continuous way.

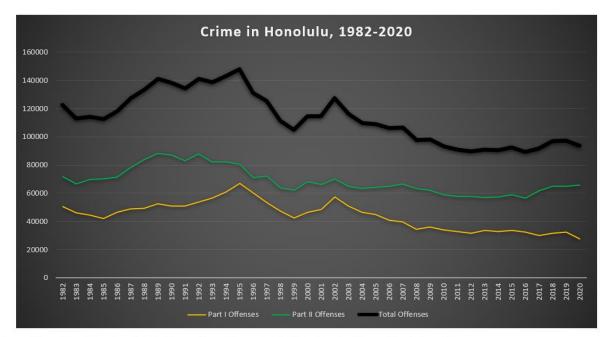
To summarize our analysis of trends so far: the steep increase in HPD use of force from 2010 to 2021 - a 275 percent rise – is too large to be attributed only to changes in HPD's reporting practices unless one is willing to jump to the conclusion that the Department's use of force reports were for many years so inaccurate and unreliable as to be worthless. We are not willing to make that leap, and therefore we need to ask: What explains the large rise in police use of force from 2010 to 2021? This is a difficult question, but a few causal candidates can be ruled out.

Figure 10 shows that the increase in police use of force was **not caused by an increase in crime**, for the total number of crimes in Honolulu – Part I (serious crimes) and Part II (less serious crimes) – increased only 0.4 percent from 2010 to 2020,²⁵ and the number declined by 26.6 percent from 2002 to 2020 (see FBI Uniform Crime Reports, various years). Over the longer term, from 1995 to 2020, the total number of crimes in Honolulu dropped 36.7 percent. Similarly, **Figure 11** shows that the increase in police use of force was not caused by an increase in police arrests, for **the number of arrests in Honolulu dropped** by 31.6 percent from 2010 to 2021 and by 41.1 percent from 2000 to 2021.

One factor that may correspond with the increase in police use of force is HPD's clearance rate, which expresses the percentage of crimes known to police that are solved by police each year. Data compiled by the FBI "shows that Honolulu has one of the worst records in the country when it comes to solving property crimes as well as violent crimes" (Christina Jedra, Civil Beat, 9/30/2020). As Figure 12 shows, this was not always the case. From 2011 to 2013 HPD cleared about 44 percent of violent crimes, but from 2017 to 2020 the clearance rate was only 27 to 29 percent. Similarly, in 2010 HPD cleared 12.1 percent of property crimes, but by 2020 the rate had plunged to 4.7 percent. Overall, HPD's clearance rate dropped from 14 percent in 2010 to 6.9 percent in 2020. In short, and in just one decade, the Department became half as effective at solving crime. We do not know whether HPD's falling clearance rate is related to the big increase in police use of force, but the (negative) correlation is interesting. Answering this question would require additional research, and even then it might be impossible to make confident claims about causation. But in the interest of fostering deliberation about this important subject, we offer two hypotheses. Both seem plausible, but we emphasize that there is no direct evidence that they actually apply to the situation in Honolulu. First, if police have become frustrated about their inability to solve crimes, their feelings might get expressed in how (and how forcibly) they interact with citizens. Conversely, being subject to more police force might cause citizens to cooperate less with police. Since effective policing depends greatly on public cooperation, the result may be fewer crimes solved (President's Task Force on 21st Century Policing, 2015).

²⁵ From 2010 to 2020, Part I crimes (serious offenses) in Honolulu declined 18.6 percent while Part II crimes (less serious offenses) increased 11.5 percent.

Figure 10 - Recorded Crime in Honolulu, 1982-2020



Source: State of Hawaii Department of the Attorney General, Research & Statistics Branch - Crime in Hawaii Annual Reports

The HPD data show **increases over time in subjects' resistance to police force**, and this resistance takes various forms. **Figure 13** shows that cases of passive resistance to police increased almost fourfold, from 67 in 2010 to 259 in 2021. Similarly, cases of defensive resistance to police increased 5.7 times, from 185 in 2010 to 1046 in 2021. And cases of active resistance to police nearly doubled, from 224 in 2012 to 416 in 2021. But at the highest levels of resistance (active aggression and aggravated active aggression) we do not see sustained increases. The number of cases in these two categories of high-level resistance (combined) nearly doubled from 279 in 2010 to 540 in 2017 before falling to 263 in 2021. We also emphasize once again that subjects' "resistance" to police is based on self-reports by the police, which should be interpreted cautiously because police are an interested party who may report in ways that are favorable to themselves (Terrill and Paoline, 2016, p.19).

Figure 14 reinforces a similar message, that there have been **increases in low levels of public resistance to police but not in high levels of resistance**. For example, from 2010 to 2021 the number of defensive acts of resistance as a share of all cases increased from 27 percent to 39 percent. Similarly, the number of cases of no resistance as a share of all use of force cases increased from 9.6 percent in 2010 to 16 percent in 2021. In contrast, the strongest forms of resistance declined as a share of all cases, from 38.6 percent to 8 percent for active aggression, and from 5.8 percent to 3 percent for aggravated active aggression.

Overall, the evidence on subject resistance suggests that the rise in police use of force may be partly caused by increased levels of resistance among the public (mainly at the lower levels of resistance). But if HPD has significantly changed its reporting practices about what constitutes "police use of force" or "subject resistance," then the rise in resistance may be more statistical

than real. We do not know if this is what happened in Honolulu, but studies of policing in other contexts suggest that it can occur (Terrill, 2020; Winston and Bondgraham, 2023).

The next several figures summarize *who* has been subject to police use of force during the period from 2010 to 2021. Figure 15 employs eight categories of race and ethnicity to show patterns over time in who was subject to police force. (For estimates of the Honolulu population percentages that are constituted by different races and ethnicities, see Table 4.) In every year except 2010, Native Hawaiians and Pacific Islanders (NHPI) were the group most likely to experience police force, and Whites were the second most likely. Figure 16 shows that the NHPI percentage of all use of force incidents ranged from a low of 27 percent in 2010 to a high of 37 percent in 2013, with the percentage ranging between 30 and 35 for the years since 2013. Figure 17 shows no significant trend up or down in the NHPI share of all use of force experiences during this 12-year period: the average share for 2010-2015 is 32.3 percent NHPI, while the average for 2016-2021 is 33.2 percent NHPI. In contrast, the White share of all police use of force experiences fell somewhat, from 32.5 percent in 2010 to 25.1 percent in 2021, and the average share for Whites during the second half of this period (24.1 percent) was lower than the average share for Whites during the first half (28.0).

Figure 18 shows the percentage of people who experienced police force who were **unemployed** at the time of their encounter with police. The average for 2010 to 2021 is 40.4 percent, with the highest percentage in 2015 (56 percent) and the lowest in 2019 (28 percent). In this period, the average percentage of unemployed subjects of police force for the first half (2010-2015) is 45.7 percent, while for the second half (2016-2021) it is 35.2 percent. This is a significant decline. Nonetheless, 36 percent of the people who experienced police force in 2021 were unemployed, which can be compared to the 4.3 percent unemployment rate for the city of Honolulu in the same year. In this sense, the index of disparity for police use of force against unemployed people in 2021 was 8.4 (36%/4.3%), and for 2015 it was approximately 15. These figures reveal that unemployed people are extremely over-represented in police use of force statistics in Honolulu.

We do not have good data about HPD uses of force against **homeless** people (many of whom are unemployed), but we can make some comments about this important subject (ACLU Hawaii, 2021). For starters, there are many myths and misconceptions about who is homeless and why (McElhinny, 2023), just as there are many misunderstandings about poor people more generally (Rank, Eppard, and Bullock, 2021; Desmond, 2023). One fact is clear: homelessness has been criminalized (Edelman, 2017), and so has the overlapping problem of mental illness (in 2021, HPD reported that 46.3 of all use of force incidents involved people who were "mentally deranged"). At root, Honolulu's policies of "compassionate disruption" (Grube, 2014), "Safe and Sound Waikiki" (Bauer, 2023), and their many law enforcement corollaries are premised on using force to displace and control people who are not wanted in the community. Such policies are costly, unjust, and not a solution to homelessness (Edelman, 2017; Herbert, Beckett, and Stuart, 2018). They are also antithetical to the "aloha spirit" that is emphasized in HPD's mission statement and to King Kamehameha's "law of the splintered paddle," which proclaimed that "all innocent persons, especially the elderly and the youth, shall be allowed to lay safely on the side of the road without fear of harm or attack."

As far as we can tell, HPD reported counts of the number of **homeless** people who were subject to police force for only two years (HPD Use of Force Report, 2010 and 2011). In 2010, 17.3 percent of all reported uses of force were against homeless people, and in 2011 the figure was 14 percent. (In subsequent years HPD apparently stopped recording this information.) In 2010, the point-in-time count of the homeless in Honolulu was 4171 people, or 0.44 percent of the city's population. Homeless people were therefore overrepresented in HPD's use of force statistics by a factor of 39 (17.3/0.44). In 2011 the count of homeless people in Honolulu was 4234, and homeless people were overrepresented in police use of force statistics by a factor of 32 (14/0.44). In other words, homeless people in these two years were 30 to 40 times more likely to experience the police use of force than the average person living in Honolulu. Since then, homelessness has risen considerably, and so has the use of force by police. From 2009 to 2017, the total number of homeless people in Honolulu (sheltered and unsheltered) increased from 3638 to 4959, which was a rise of 36 percent. From 2017 to 2020, the total number of homeless people in Honolulu declined by about 10 percent, while the number of unsheltered homeless people (people living on the streets, not in temporary shelters) continued to rise, from 1193 in 2009 to 2356 in 2020 - an increase of 97 percent (Honolulu Mayor's Office of Housing, 2020). And according to a recent Point in Time count, more than half of all homeless people in the city and the state identify as Native Hawaiian or Pacific Islander.²⁶

Is the striking rise in HPD use of force during this decade related to the remarkable rise in the number of unsheltered **homeless** people in the city?²⁷ It appears no one has been keeping track of police use of force against the homeless, so it is impossible to answer this question with data and confidence. But an intergovernmental working group comprised of county and state entities and key service providers recently found that of the 6591 people who were admitted into community correctional centers (jails) statewide in 2020, 2474 (37.5 percent) reported being unsheltered (Hawaii Department of Public Safety Intake Services, December 2021). The failure to record relevant information about the homeless is itself revealing, for in modern bureaucratic governments, "what is not counted does not count." In the end, the failure to keep track of police use of force against homeless people in Honolulu is a failure to acknowledge that their well-being counts.²⁸

²⁶ The true number of homeless people in Honolulu is larger than these figures suggest, for there is a "dark figure" of uncounted persons that is not reflected in statistics. For more on the challenge of accurately counting people who are homeless, see Roncarati, Byrne, and MacInnes (2021).

²⁷ A study of race and poverty in Hawaii examined data from 2011 to 2015 and found the average poverty rate in the state to be 11.2 percent, with the rates for individuals in different racial groups as follows: 6.6 percent for Japanese, 9.4 percent for Filipinos, 10.1 percent for Chinese, 11.2 percent for Koreans, 11.4 percent for Whites, 13.5 percent for Blacks, 15.5 percent for Native Hawaiians, 20.4 percent for Samoans, and 51.1 percent for Marshallese (see the 2018 study by DEBDT, cited in Hofschneider, 2020).

²⁸ Research shows that police use of force against homeless people is one part of a larger pattern of police use of force against poor people more generally (Edelman, 2017). Indeed, one central finding in law and society studies is that "downward law is greater than upward law," which means that "all else constant, law of every kind – whether a statute, complaint, arrest, prosecution, lawsuit, conviction, award of damages, or punishment – is more likely to have a downward direction [in social space] than an upward direction" (Black, 1976, p.21). Future research about criminal law enforcement in Hawaii should focus on the connections between poverty and legal controls.

Figure 19 displays the percentage of people who experienced police force whom police reported were **using drugs and/or alcohol at the time of the incident**. These numbers, which include both known and suspected use, range from a low of 35 percent in 2017 to a high of 88 percent in 2015, and the average for the entire period (2010 to 2021) is 60.5 percent. There has also been a modest decline in recent years. In the first half of this period (2010-2015) the average was 65.3 percent, while in the second half (2016-2021) it was 55.7 percent. In 2021 the proportion of subjects believed to be using drugs and/or alcohol was 59 percent, and that figure has been more or less stable since 2017. By these measures, most people who experience police force in Honolulu are under the influence of some substance at the time of their encounter with police. Of course, such people can be genuinely difficult to persuade and control (e.g. alcohol can make some people more confident, more angry, or both), but the strikingly high figures summarized in Figure 19 also raise questions about how police are trained to deal with citizens who are under the influence. They also raise more complicated questions about whether police are the best societal response to incidents involving citizens who have been ingesting alcohol or drugs.

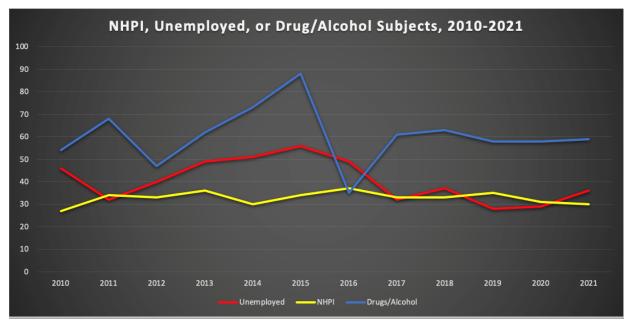


Figure 20 - Percentage of Subjects Who Were NHPI, Unemployed, or Used Drugs and/or Alcohol, 2010-2021

Source: 2010-2021 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

Figure 20 summarizes in a single graph some of the information on the subjects of police force who were **Native Hawaiian or Pacific Islander, unemployed, or drug and/or alcohol users** at the time of the use of force incident. From 2010 to 2021, drug and/or alcohol users comprised 60 percent of all use of force subjects, while the unemployed constituted 40 percent and NHPI constituted 33 percent. Figure 21 adds case detail to this summary by showing that the number of **mental health incidents** increased steadily over this 12-year period, from 8.5 percent of all use of force incidents in 2010 to 17.1 percent in 2021. Conversely, disorderly conduct cases declined from 12 percent to 16 percent of all use of force incidents from 2010 to 2015 to just 6 percent or so for 2017 to 2021. There was also a large one-year decline in "miscellaneous public" use of

force incidents, from 13 percent of all incidents in 2010 to 7.4 percent in 2011. Here, too, we do not know the extent to which changes in the composition of police use of force cases can be attributed to changes in HPD's reporting practices. But we do know that the findings summarized in this paragraph are consistent with other facts about criminal justice. Studies show that police are more likely to use force (and higher levels of force) against suspects they believe to be mentally impaired (Terrill and Paoline, 2016, p.19), and the Hawaii Correctional System Oversight Commission recently reported that medical staff at the main jail in Honolulu (the Oahu Community Correctional Center) estimate that 90 percent of new admissions to the jail are "homeless, mentally ill, or active drug users, or any combination thereof" (Dayton, 2023a).

V. Conclusion

The data we have does not enable us to reach many conclusions about the propriety or legality of police uses of force in Honolulu. Such assessments are important, but making them would require detailed information about the interactions between citizens and police, which take many forms and unfold over time in ways that cannot be captured by police self-reports.²⁹ In this context, we have focused on use of force frequencies and trends. But the **Honolulu Police Commission**, which is composed of seven citizens chosen by the mayor and approved by the City Council, does receive and evaluate complaints from citizens about police behavior, and its annual reports can be used to summarize trends in citizen complaints from 2005 to 2020 (see https://www.honolulu.gov/hpc/annual-reports.html).

Figure 22 and **Figure 23** show that the total number of citizen **complaints to HPC fell** by 42 percent, from 261 in 2005 to 152 in 2020. The number of complaints about police use of force fell as well, from 73 in 2005 to 52 in 2020 – a decline of 29 percent. These are large drops, but the number of use of force complaints also came to comprise a larger proportion of all complaints to the Commission. It is not clear whether these changes reflect improvements in police behavior, changes in the propensity of citizens to complain, changes in HPC's openness to complaints or in the complaint-making process, or some combination of these and other factors. There is also the COVID pandemic, which hit Hawaii in 2020.³⁰

But it is clear that **HPC seldom sustains use of force complaints**. From 2005 to 2020 there was an average of 48.6 use of force complaints per year, and the average number "sustained" (upheld as valid) was just 2.5. This is a sustain rate of 5 percent, meaning 19 of every 20 use of force complaints were not upheld by HPC.³¹ The low rate could be because much of the police behavior that citizens complained about was not really problematic, or because there was insufficient evidence to sustain a finding of fault in many cases – or it could be both. But HPC has a long history of failing to provide meaningful oversight of the police. After the criminal

²⁹ Some of the police in HPD and elsewhere in Hawaii have been wearing body-worn cameras (BWCs) for five to seven years, depending on the county (Truesdale, 2023b). One question is whether these cameras facilitate assessments of police behavior and foster accountability. Sometimes they do, but much depends on whether and when police activate the cameras, and in this respect HPD has had problems (Jedra, 2021). Another question is how BWCs impact police use of force. The answer is equivocal: some studies have found that BWCs result in sustained declines in the use of force over time, while other studies have not. A review of 16 studies concludes that the available research findings "do not reveal a definitive conclusion that BWCs can reduce officers' use of force" (Lum et al., 2019, p.101).

³⁰HPD use of force increased during the first two years of the COVID pandemic, from 2354 incidents in 2019 (the last pre-Covid year) to 2423 in 2020 (+3 percent) and 2646 in 2021 (+9 percent). But subjects injured by police use of force declined during these years, as did the number of people killed by police. As for citizen complaints to the Honolulu Police Commission, the total number increased from 139 in 2019 to 152 in both 2020 and 2021, while the number of use of force complaints went from 52 in 2019 and 2020 to 35 in 2021. In the first year of the pandemic (2020), arrests by HPD went up almost 44 percent before declining in the second year by 24 percent. The net result was 9 percent more arrests in 2021 than in 2019. It is not clear why arrests and police use of force increased during the pandemic, when many bars and businesses were closed and many people were homebound, and when police, prosecutors, and courts were encouraged to keep people out of jail.

³¹ As of March 2023, Police Scorecard gave HPD a score of 44 percent for overall "police accountability," and extremely low scores for three components of that score: "excessive force complaints upheld" (8 percent), "discrimination complaints upheld" (0 percent), and "criminal misconduct complaints upheld" (23 percent). In this assessment (which may be problematic for reasons discussed in a previous footnote), the only police accountability measure on which HPD scored decently was "misconduct complaints upheld" (78 percent). For more details, see https://policescorecard.org/hi.

convictions of former HPD Chief Louis Kealoha, several of his subordinates, and his wife (former prosecutor) Katherine Kealoha, former HPC Chair Loretta Sheehan stated that the scandal should be considered "a cautionary tale" and "a warning against willful blindness to police corruption" (Silvert, 2021, p.2). HPC's low sustain rate for use of force complaints raises a similar concern about the possibility of "willful blindness" to misuses of police force.³²

Policing is an important institution, but we know little about how it actually operates. In

Honolulu and other American cities, "blind trust in the police, fear of a powerful police lobby, and a law enforcement culture of secrecy and insulation results in a serious information failure" regarding what police actually do and whether that keeps us safe (Friedman and Janszky, 2020). The information failure regarding police use of force is very large indeed. This report provides some information about Honolulu, but we acknowledge that our efforts to illuminate the subject are like a person holding a match who is trying to find the way through a dense forest at night. Honolulu's information problem will not be resolved until there is change in the politics of policing, which has long been characterized by legislative inaction and executive inertia.³³ Going forward, one major priority should be a sustained effort to **make HPD improve its collection and disclosure of data about policing practices.**

There are also concerns about the aggressive culture of policing (Terrill, Paoline, and Manning, 2003), the police code of silence (Skolnick and Fyfe, 1993), and the pervasive belief that police should not take flak from anyone on the street (Gross, 2023a).³⁴ These problems exist in Honolulu too (Silvert, 2021). Some of the most impressive police reform successes are rooted in the recognition that **police culture often eats policy**. Major improvements in policing have occurred in Stockton, California, which has been called "the most racially diverse city in the United States" (*US News & World Report*, 2020); Longmont, Colorado, which has built one of the most progressive police departments in the country; and LaGrange, Georgia, where a once openly racist police department now focuses on "racial reconciliation, equality before the law,

³² Use of force issues may have become more important to HPC in recent years (its report for 2021 was released just as we were finishing this report). In 2020 HPC sustained 12 of 52 use of force complaints, for a sustain rate of 23.1 percent, and in 2021 it sustained 4 of 35 use of force complaints, for a sustain rate of 11.4 percent. For the two years combined the sustain rate of 18.4 percent was five times higher than the sustain rate (3.7 percent) for the previous 15 years (2005-2019). Time will tell whether the recent increase is the start of a trend toward more accountability or merely an aberration. HPC should also be asking why complaints to it have been declining. The decrease could reflect improvements in police behavior, but it may also stem from problems in the complaint-filing system. We need to know more about this important question.

³³ For a study describing how it has become "nearly impossible to hold police accountable for abuses of power" in the United States, see Joanna Schwartz, *Shielded: How the Police Became Untouchable* (Viking, 2023). And for analysis of how the U.S. Supreme Court has "repeatedly refused to impose constitutional checks on police, all the while deliberately gutting remedies Americans might use to challenge police misconduct," see Erwin Chemerinsky, *Presumed Guilty: How the Supreme Court Empowered the Police and Subverted Civil Rights* (Norton, 2021). The short and ineffectual life of Hawaii's Law Enforcement Officer Independent Review Board, which was created by the state legislature in 2016 and allowed to expire in 2022, illustrates some of the problems of police accountability described in these two books (Civil Beat Editorial Board, 2022).

³⁴ The effectiveness of policing depends greatly on the legitimacy of the police, and one recurrent research finding is that police legitimacy "rests firmly upon the ways in which officers treat citizens during their encounters with them" (Terrill, Paoline, and Gau, 2016, p.60).

and the preservation of life" (Gross, 2023a, p.11).³⁵ In these places, police and community leaders realized that while policy changes to reimagine policing and public safety are crucially important (see below), they are not enough. There is also the need to "change cop culture: the values, beliefs, and assumptions" of police and "the worldview of those in law enforcement" (Gross, 2023a, p.5). A related lesson is that "when it comes to remaking a police department, **chiefs play an indispensable role**" (Gross, 2023a, p.228). The achievements in other places should give Honolulu hope that what has happened elsewhere could occur here too. As a scholar who used to be a police officer observes, "The narrative that nothing ever gets better in policing isn't just wrong; it's an abdication of responsibility" (Gross, 2023b).

The most surprising and important finding in this report is the **huge increase in reported use of force by police in Honolulu since 2010**. We believe this increase – a rise of 275 percent from 2010 to 2021 – is at least partly real, but even if it is largely a consequence of changes in police reporting practices, the implication would be that HPD has done a bad job of keeping track of an essential index of its performance, and that, too, would be cause for concern. If much or all of the increase is real, then what has happened in Honolulu is consistent with what other observers of American policing report (Vitale, 2017; Butler, 2017). As one scholar puts it:

"Although I have never seen a rigorous historical analysis of how policing has changed over time with respect to the increased use of coercion to solve the problems that police officers and departments face on a daily basis, I can say that I have noticed the police institution ramp up its coercive capacities since...1987" (Kane, 2022, p.xx).

We believe the vast majority of police want to do good. However, **the mission of police is too broad**, and police use of force is all too often the American response to social problems that cannot be cured with coercion. Police cannot be all things to all people: they cannot cure homelessness and unemployment and alcoholism and drug addiction and mental illness (and so on), and they should not be asked to try. Criminal justice is, at its core, a blaming institution, and that makes it a poor instrument for social policy (Western, 2018). Much of what we treat with criminal law enforcement are really problems of public health and social welfare. In the end, solving the problem of police force requires us to reimagine policing and public safety (Friedman, 2021).³⁶

³⁵ For police departments that reformed under the compulsion of a federal consent decree, see, for example, Oakland (Winston and Bondgraham, 2023), Seattle (Rabinowitz, 2023), and the towns of Steubenville and Warren in Ohio (Tolka, 2018). On the sustainability of police reforms made under a consent decree, see Chanin (2014).

³⁶ One inspiration for resisting the status quo and reimagining public safety is Hawaii County Chief Judge Robert Kim, who found conditions in the Hilo jail to be so "atrocious" that he frequently uses "cashless bail" and encourages "all judges to be judicious" in deciding who they send to jail (Dayton, 2023b). In Honolulu, Tommy Johnson, a senior official in the Department of Public Safety, acknowledges that the conditions at OCCC (the main jail on Oahu) are "to some degree inhumane," and he predicts that it may be "only a matter of time before Department of Justice comes knocking on our door" to force the state to fix the jail's problems (Dayton, 2023c). The deplorable jail conditions in Honolulu and Hilo result partly from excessive reliance on criminal law enforcement to address social problems (Neusteter et al., 2019), but this important fact is often overlooked and ignored, even by those who argue that "corrections needs systemic reform" (*Honolulu Star-Advertiser*, 2023). Research also shows that cities can reform bail practices and reduce jail populations without sacrificing public safety (Garduque, 2023).

Change is possible, and many people want it. A CNN poll (2021) found that only 14 percent of Americans believed "policing works pretty well as it is," and since the murder of George Floyd in 2020 the country has been swimming in proposals for reform (Gross, 2023a). Some of them aim to reduce the scope of armed policing and fill in the response gaps with professionals who do not rely on coercive force, as with the CAHOOTS (Crisis Assistance Helping Out On The Streets) program in Eugene, Oregon, which responds to a quarter or so of the 911 calls in that city, and which has significantly reduced the scale of armed policing and the likelihood that force will be used (NPR, 2020; Vera Institute of Justice, 2020; CAHOOTS, 2023). More broadly, there is a large and illuminating literature on **reimagining policing and public safety**, which is a structural approach to increasing community safety that stresses different priorities than those that prevail today. The priorities include:

- Shrinking the scale of armed policing and reducing interactions with the police, by decriminalizing poverty and public health issues such as drug addiction, homelessness, and mental illness, by using alternative civilian responses for some emergency calls, and by diverting people into social services instead of relying so much on criminal law enforcement (Karma, 2020; Drug Policy Alliance, 2020).
- Reducing the scale of policing will make it easier to repurpose police departments so that they focus more on serious and violent crime (Friedersdorf, 2021). Research shows that at present "cops do remarkably little crime fighting" (Friedman, 2021, p.949). One study found that less than 5 percent of police calls involved violent crime (Breen, 2020), and other studies reach similar conclusions.
- Strengthening civilian oversight of police, by giving police commissions more resources and authority (Walker and Archbold, 2019), and by cultivating oversight practices that increase back-end accountability for police misconduct (Truesdale, 2023c) and front-end accountability so that the public has a real say in what the rules for policing are in the first place (Ponomarenko and Friedman, 2017).
- Addressing the root causes of crime by investing in people who need help and by creating greater opportunities in education, vocational training, employment, housing, and public health (Currie, 1998).
- Helping victims through restorative justice programs and other community-based interventions that aim to heal the harms caused by crime, hold criminal offenders accountable, and prevent crime from occurring in the first place (Sered, 2019; Herman, 2023).

In short, if Honolulu wants to change there are plenty of promising models to consider (see also President's Task Force on 21st Century Policing, 2015; Meares and Tyler, 2017; Human Rights Watch, 2020; Neily, 2021; Tyler, 2021; Obama Foundation, 2023). Perhaps it is time to rethink our approach to policing and public safety?

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Appendix 1: <u>Tables for Report on Use of Force by Honolulu Police in 2021</u>

	Frequency	Percent
Male	1938	73.2
Female	643	24.3
Unknown	65	2.5
Total	2646	100.0

Table 1 – Sex of People Subject to HPD Use of Force, 2021

Age	Frequency & Percentage
11-13	12 (0.5%)
14-17	76 (2.9%)
18-19	94 (3.6%)
20-29	691 (26.1%)
30-39	809 (30.6%)
40-49	448 (16.9%)
50-59	237 (9%)
60-69	115 (4.3%)
70-79	27 (1%)
80-89	3 (0.1%)
90-99	1 (0.04%)
Unknown	131 (5%)
	TOTAL: 2644

Table 2 – Age of People Subject to HPD Use of Force, 2021

Source: 2021 HPD Annual Use of Force Report

		Frequency	Percent
	NHPI	832	31.4
	White	789	29.8
	Black	253	9.6
	Filipino	207	7.8
	Hispanic	101	3.8
	Japanese	93	3.5
	Chinese	57	2.2
	Korean	36	1.4
	Other	22	0.8
	Vietnamese	17	0.6
	Laotian	6	0.2
	Indian	5	0.2
	Middle Eastern	4	0.2
	Native American	2	0.1
	Total	2424	91.6
	N/A	222	8.4
Total		2646	100.0

Table 3 – Race or Ethnicity of People Subject to HPD Use of Force, 2021

Race/Ethnicity	Number of Incidents	Hawaii Population 2016-2019 Avg (Race Alone) – 1,001,818	Hawaii Population 2016-2019 Avg (Race Alone or in Combination)	Disparity Index
Black	253 (9.6%)	27,299 (2.7%) *	41,575 (4.2%) *	9.6/4.2 = 2.3
Chinese	57 (2.2%)	53,958 (5.4%)	206,888 (20.7%)	2.2/20.7 = 0.1
Filipino	207 (7.8%)	209,243 (20.9%)	361,597 (36.1%)	7.8/36.1 = 0.2
Hawaiian	475 (18%)	89,768 (9%)	305,938 (30.5%)	18/30.5 = 0.6
Hispanic	101 (3.8%)	-	-	-
Indian	5 (0.2%)	2,534 (0.3%)	5,153 (0.5%)	0.2/0.5 = 0.4
Japanese	93 (3.5%)	173,572 (17.3%)	316,295 (31.6%)	3.5/31.6 = 0.1
Korean	36 (1.4%)	25,304 (2,5%)	53,965 (5.4%)	1.4/5.4 = 0.3
Laotian	6 (0.2%)	1,694 (0.2%)	2,586 (0.3%)	0.2/0.3 = 0.7
Micronesian	173 (6.5%)	20,319 (2%)	22,631 (2.3%)	6.5/2.3 = 2.8
Middle Eastern	4 (0.2%)	-	-	-
Native American	2 (0.1%)	3,224 (0.3%) *	21,666 (2.2%) *	0.1/2.2 = 0.05
Samoan	171 (6.5%)	12,609 (1.3%)	34,770 (3.5%)	6.5/3.5 = 1.9
Tongan	13 (0.5%)	4,613 (0.5%)	8,798 (0.9%)	0.5/0.9 = 0.6
Vietnamese White Other Unknown	17 (0.6%) 789 (29.8%) 22 (0.8%) 222 (8.4%)	10,983 (1.1%) 213,140 (21.3%) * - -	15,955 (1.6%) 391,127 (39.1%) * -	0.6/1.6 = 0.4 29.8/39.1 = 0.8 -
NHPI	832 (31.4%)	100,059 (10%) *	260,085 (26%) *	31.4/26 = 1.2

Table 4 – HPD Use of Force and Racial & Ethnic Disparities, 2021

Source: 2021 HPD Use of Force Data, 2021 Census Population Estimates, & 2021 The State of Hawaii Data Book

		Frequency	Percent
	District 1	663	25.1
	District 2	154	5.8
	District 3	220	8.3
	District 4	201	7.6
	District 5	338	12.8
	District 6	414	15.6
	District 7	319	12.1
	District 8	334	12.6
	Total	2643	99.9
	N/A	3	0.1
Total		2646	100.0

Table 5 – HPD Use of Force Incident Location, 2021

Table 6 – Top 10 HPD Use of Force Incident Types, 2021

	Frequency	Percent
MH-1	454	17.2
Miscellaneous Public	181	6.8
Disorderly Conduct (Other - Continue After Warning)	124	4.7
Harassment (Physical on L.E.O No Pain)	120	4.5
Unauthorized Control of Propelled Vehicle	101	3.8
Assault 3	93	3.5
Abuse of Family/Household Member	90	3.4
Criminal Contempt of Court (Warrant)	89	3.4
Resisting Arrest	85	3.2
Promoting Gambling	44	1.7
Other	1265	47.8
Total	2646	100.0

	Frequency	Percent
Verbal Command	14	0.5
Physical Contact	496	18.7
Chemical Agent	33	1.2
Physical Confrontation	1414	53.4
IntermediateWeapon/CEW/S pecialtyWeapon	132	5.0
Less Lethal Ammunition	8	0.3
Deadly Force	545	20.6
Total	2642	99.8
N/A	4	0.2
Total	2646	100.0

		Frequency	Percent
	Psychological Intimidation	40	1.5
	Verbal Noncompliance	167	6.3
	Passive Resistance	259	9.8
	Defensive Resistance	1046	39.5
	Active Resistance	416	15.7
	Active Aggression	194	7.3
	Aggravated Active Aggression	69	2.6
	Total	2191	82.8
	No Resistance	455	17.2
Total		2646	100.0

Table 8 – Subject Resistance and HPD Use of Force, 2021

	Frequency	Percent
None Observed	2133	80.6
None Observed; Complaint of Injury	135	5.1
Bodily Injury	363	13.7
Substantial Injury	4	0.2
Serious Injury	4	0.2
Death	7	0.3
Total	2646	100.0

Table 9 - Subject Injuries and HPD Use of Force, 2021

	Frequency	Percent
None	2516	95.1
None Observed; Complaint of Injury	14	0.5
Bodily Injury	106	4.0
Substantial Bodily Injury	6	0.2
Serious Bodily Injury	4	0.2
Total	2646	100.0

Table 10 - Officer Injuries and HPD Use of Force, 2021

					Officer Force				
		Verbal Command	Physical Contact	Chemical Agent	Physical Confrontation	IntermediateW eapon/CEW/Sp ecialtyWeapon	Less Lethal Ammunition	Deadly Force	Total
Suspect Resistance	No Resistance	4	23	6	30	16	3	370	452
		28.6%	4.6%	18.2%	2.1%	12.1%	37.5%	67.9%	17.1%
	PsychologicalIntimidation	0	11	0	13	2	0	14	40
		0.0%	2.2%	0.0%	0.9%	1.5%	0.0%	2.6%	1.5%
	VerbalNoncompliance	5	52	5	51	12	3	39	167
		35.7%	10.5%	15.2%	3.6%	9.1%	37.5%	7.2%	6.3%
	PassiveResistance	0	95	1	144	6	1	12	259
		0.0%	19.2%	3.0%	10.2%	4.5%	12.5%	2.2%	9.8%
	DefensiveResistance	3	234	6	742	28	0	32	1045
		21.4%	47.2%	18.2%	52.5%	21.2%	0.0%	5.9%	39.6%
	ActiveResistance	1	61	6	295	33	0	20	416
		7.1%	12.3%	18.2%	20.9%	25.0%	0.0%	3.7%	15.7%
	ActiveAggression	0	20	9	127	25	1	12	194
		0.0%	4.0%	27.3%	9.0%	18.9%	12.5%	2.2%	7.3%
	AggravatedActiveAggression	1	0	0	12	10	0	46	69
		7.1%	0.0%	0.0%	0.8%	7.6%	0.0%	8.4%	2.6%
Total		14	496	33	1414	132	8	545	2642
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 11 - Officer Force and Subject Resistance, 2021

				Subject Inj	juries			
		None Observed	None Observed; Complaint of Injury	Bodily Injury	Substantial Injury	Serious Injury	Death	Total
Suspect Resistance	No Resistance	436	4	10	0	2	3	45
		20.4%	3.0%	2.8%	0.0%	50.0%	42.9%	17.29
	PsychologicalIntimidation	37	1	2	0	0	0	4
		1.7%	0.7%	0.6%	0.0%	0.0%	0.0%	1.5
	VerbalNoncompliance	145	8	14	0	0	0	16
		6.8%	5.9%	3.9%	0.0%	0.0%	0.0%	6.3
	PassiveResistance	224	20	15	0	0	0	25
		10.5%	14.8%	4.1%	0.0%	0.0%	0.0%	9.8
	DefensiveResistance	830	64	148	2	2	0	104
		38.9%	47.4%	40.8%	50.0%	50.0%	0.0%	39.5
	ActiveResistance	289	22	104	1	0	0	41
		13.5%	16.3%	28.7%	25.0%	0.0%	0.0%	15.7
	ActiveAggression	124	15	55	0	0	0	19
		5.8%	11.1%	15.2%	0.0%	0.0%	0.0%	7.3
	AggravatedActiveAggressio	48	1	15	1	0	4	6
	n	2.3%	0.7%	4.1%	25.0%	0.0%	57.1%	2.6
Fotal		2133	135	363	4	4	7	26
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0

Table 12 – Subject Injuries and Subject Resistance, 2021

				Officer Injuri	es		
		None	None Observed; Complaint of Injury	Bodily Injury	Substantial Bodily Injury	Serious Bodily Injury	Total
Suspect Resistance	No Resistance	449	1	5	0	0	455
		17.8%	7.1%	4.7%	0.0%	0.0%	17.2%
	PsychologicalIntimidation	37	0	2	1	0	40
		1.5%	0.0%	1.9%	16.7%	0.0%	1.5%
	VerbalNoncompliance	164	1	1	1	0	167
		6.5%	7.1%	0.9%	16.7%	0.0%	6.3%
	PassiveResistance	253	2	4	0	0	259
		10.1%	14.3%	3.8%	0.0%	0.0%	9.8%
	DefensiveResistance	1010	5	29	0	2	1046
		40.1%	35.7%	27.4%	0.0%	50.0%	39.5%
	ActiveResistance	390	2	24	0	0	416
		15.5%	14.3%	22.6%	0.0%	0.0%	15.7%
	ActiveAggression	158	1	30	4	1	194
		6.3%	7.1%	28.3%	66.7%	25.0%	7.3%
	AggravatedActiveAggressio	55	2	11	0	1	69
	n	2.2%	14.3%	10.4%	0.0%	25.0%	2.6%
Total		2516	14	106	6	4	2646
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 13 – Officer Injuries and Subject Resistance, 2021

Table 14 - Subject Injuries and Officer Force, 2021

				Subject Inj	juries			
		None Observed	None Observed; Complaint of Injury	Bodily Injury	Substantial Injury	Serious Injury	Death	Total
Officer Force	VerbalCommand	13	1	0	0	0	0	14
		0.6%	0.7%	0.0%	0.0%	0.0%	0.0%	0.5%
	PhysicalContact	447	25	24	0	0	0	496
		21.0%	18.5%	6.6%	0.0%	0.0%	0.0%	18.8%
	ChemicalAgent	23	4	5	0	1	0	33
		1.1%	3.0%	1.4%	0.0%	25.0%	0.0%	1.2%
	PhysicalConfrontation	1067	88	256	3	0	0	1414
		50.1%	65.2%	70.7%	75.0%	0.0%	0.0%	53.5%
	IntermediateWeaponCEW	79	8	45	0	0	0	132
	SpecialtyWeapon	3.7%	5.9%	12.4%	0.0%	0.0%	0.0%	5.0%
	LessLethalAmmunition	7	1	0	0	0	0	8
		0.3%	0.7%	0.0%	0.0%	0.0%	0.0%	0.3%
	DeadlyForce	494	8	32	1	3	7	545
		23.2%	5.9%	8.8%	25.0%	75.0%	100.0%	20.6%
Total		2130	135	362	4	4	7	2642
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

				Officer Injuri	es		
		None	None Observed; Complaint of Injury	Bodily Injury	Substantial Bodily Injury	Serious Bodily Injury	Total
Officer Force	VerbalCommand	14	0	0	0	0	14
		0.6%	0.0%	0.0%	0.0%	0.0%	0.5%
	PhysicalContact	486	1	8	1	0	496
		19.3%	7.1%	7.5%	16.7%	0.0%	18.8%
	ChemicalAgent	33	0	0	0	0	33
		1.3%	0.0%	0.0%	0.0%	0.0%	1.2%
	PhysicalConfrontation	1321	9	79	3	2	1414
		52.6%	64.3%	74.5%	50.0%	50.0%	53.5%
	IntermediateWeaponCEW	117	2	10	1	2	132
	SpecialtyWeapon	4.7%	14.3%	9.4%	16.7%	50.0%	5.0%
	LessLethalAmmunition	8	0	0	0	0	8
		0.3%	0.0%	0.0%	0.0%	0.0%	0.3%
	DeadlyForce	533	2	9	1	0	545
		21.2%	14.3%	8.5%	16.7%	0.0%	20.6%
Total		2512	14	106	6	4	2642
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 15 – Officer Injuries and Officer Force, 2021

				Officer Injuri	es		
		None	None Observed; Complaint of Injury	Bodily Injury	Substantial Bodily Injury	Serious Bodily Injury	Total
Subject Injuries	None Observed	2072	7	51	3	0	2133
		82.4%	50.0%	48.1%	50.0%	0.0%	80.6%
	None Observed; Complaint of Injury	127	2	5	1	0	135
		5.0%	14.3%	4.7%	16.7%	0.0%	5.1%
	Bodily Injury	305	5	47	2	4	363
		12.1%	35.7%	44.3%	33.3%	100.0%	13.7%
	Substantial Injury	3	0	1	0	0	4
		0.1%	0.0%	0.9%	0.0%	0.0%	0.2%
	Serious Injury	4	0	0	0	0	4
		0.2%	0.0%	0.0%	0.0%	0.0%	0.2%
	Death	5	0	2	0	0	7
		0.2%	0.0%	1.9%	0.0%	0.0%	0.3%
Total		2516	14	106	6	4	2646
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 16 – Officer Injuries and Subject Injuries, 2021

		Physical Contact	Chemical Agent	Physical Confrontation	IntermediateW eapon/CEW/Sp ecialtyWeapon	Less Lethal Ammunition	Deadly Force	Total
Subject Sex	Male	320	21	1042	115	5	423	1936
		64.5%	63.6%	73.7%	87.1%	62.5%	77.6%	73.3%
	Female	169	6	361	10	3	90	643
		34.1%	18.2%	25.5%	7.6%	37.5%	16.5%	24.3%
	Unknown	7	6	11	7	0	32	63
		1.4%	18.2%	0.8%	5.3%	0.0%	5.9%	2.4%
Total		496	33	1414	132	8	545	2642
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

				Officer	Force			
		Verbal Command	Physical Contact	Chemical Agent	IntermediateW eapon/CEW/Sp ecialtyWeapon	Less Lethal Ammunition	Deadly Force	Total
Subject Ethnicity	Black	0	54	145	10	2	42	253
		0.0%	11.9%	10.8%	8.4%	28.6%	9.0%	10.4%
	Chinese	1	8	37	3	0	8	57
		7.1%	1.8%	2.8%	2.5%	0.0%	1.7%	2.4%
	Filipino	3	40	105	10	0	46	20
		21.4%	8.8%	7.9%	8.4%	0.0%	9.9%	8.5%
	NHPI	6	121	458	53	2	179	832
		42.9%	26.6%	34.3%	44.5%	28.6%	38.5%	34.4%
	Hispanic	2	16	61	3	0	18	101
		14.3%	3.5%	4.6%	2.5%	0.0%	3.9%	4.29
	Indian	0	0	4	0	0	1	:
		0.0%	0.0%	0.3%	0.0%	0.0%	0.2%	0.29
	Japanese	1	18	49	3	0	20	9
		7.1%	4.0%	3.7%	2.5%	0.0%	4.3%	3.89
	Korean	0	7	14	1	1	12	3
		0.0%	1.5%	1.0%	0.8%	14.3%	2.6%	1.59
	Laotian	0	2	4	0	0	0	
		0.0%	0.4%	0.3%	0.0%	0.0%	0.0%	0.29
	Middle Eastern	0	3	1	0	0	0	
		0.0%	0.7%	0.1%	0.0%	0.0%	0.0%	0.29
	Native	0	0	0	0	0	2	
	American	0.0%	0.0%	0.0%	0.0%	0.0%	0.4%	0.19
	Vietnamese	0	5	6	0	0	6	1
		0.0%	1.1%	0.4%	0.0%	0.0%	1.3%	0.79
	White	1	178	441	35	2	125	78
		7.1%	39.1%	33.0%	29.4%	28.6%	26.9%	32.69
	Other	0	3	12	1	0	6	2
		0.0%	0.7%	0.9%	0.8%	0.0%	1.3%	0.99
Total		14	455	1337	119	7	465	2422
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 18 – Officer Force and Subject Race or Ethnicity, 2021

					Officer Force	IntermediateW				
		Verbal Command	Physical Contact	Chemical Agent	Physical Confrontation	eapon/CEW/Sp ecialtyWeapon	Less Lethal Ammunition	Deadly Force	Total	
Incident Type.(Short List)	MH-1	1	98	3	295	22	1	34	454	
		14.3%	38.1%	17.6%	36.7%	32.4%	33.3%	15.1%	32.9%	
	Miscellaneous Public	3	39	3	66	9	1	59	180	
		42.9%	15.2%	17.6%	8.2%	13.2%	33.3%	26.2%	13.0%	
	Promoting Gambling	0	0	0	0	0	0	44	44	
		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	19.6%	3.2%	
	Harassment (Physical on L.E.O No Pain)	0	20	2	92	5	0	1	120	
		0.0%	7.8%	11.8%	11.5%	7.4%	0.0%	0.4%	8.7%	
	Disorderly Conduct (Other - Continue After Warning)	0	30	2	88	3	0	1	124	
		0.0%	11.7%	11.8%	11.0%	4.4%	0.0%	0.4%	9.0%	
	Unauthorized Control of Propelled Vehicle	0	1	1	34	4	0	61	101	
		0.0%	0.4%	5.9%	4.2%	5.9%	0.0%	27.1%	7.3%	
	Abuse of	0	21	2	47	10	0	10	90	
	Family/Household Member	0.0%	8.2%	11.8%	5.9%	14.7%	0.0%	4.4%	6.5%	
	Assault 3	2	22	3	56	3	0	7	93	
		28.6%	8.6%	17.6%	7.0%	4.4%	0.0%	3.1%	6.7%	
	Criminal Contempt of Court	1	22	1	54	5	0	6	89	
	(Warrant)	14.3%	8.6%	5.9%	6.7%	7.4%	0.0%	2.7%	6.4%	
	Resisting Arrest	0	4	0	71	7	1	2	85	
		0.0%	1.6%	0.0%	8.8%	10.3%	33.3%	0.9%	6.2%	
Total		7	257	17	803	68	3	225	1380	
		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	

Table 19 – Officer Force and Incident Type, 2021

Appendix 2: HPD Use of Force Trends, 2010-2021

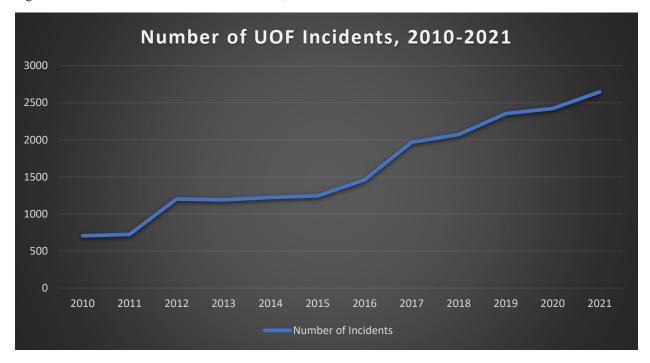


Figure 1 - Number of HPD Use of Force Incidents, 2010-2021

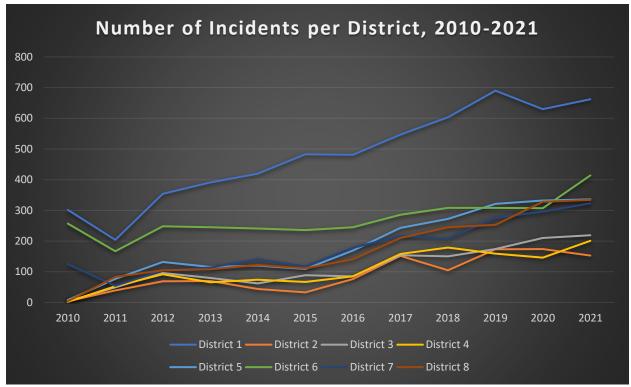


Figure 2 - Number of HPD Use of Force Incidents per District, 2010-2021*

*District 1 includes Downtown Honolulu, Chinatown, and Kakaako.

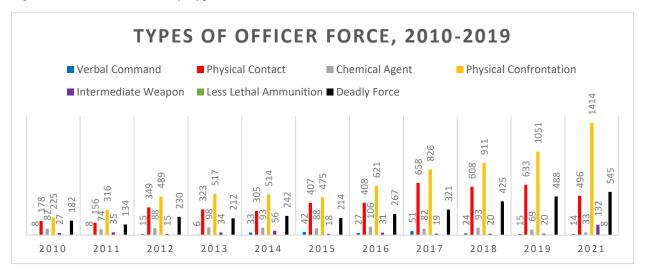


Figure 3 – HPD Use of Force by Type of Force, 2010-2019

Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

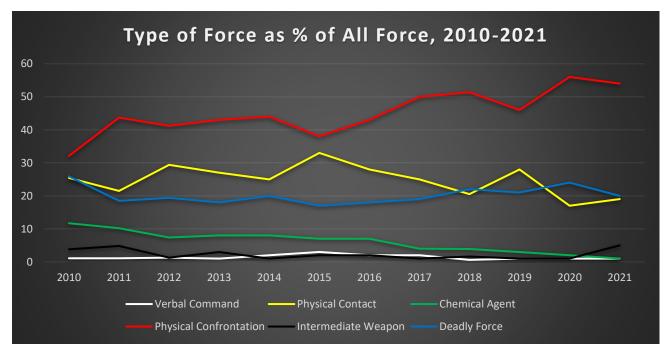
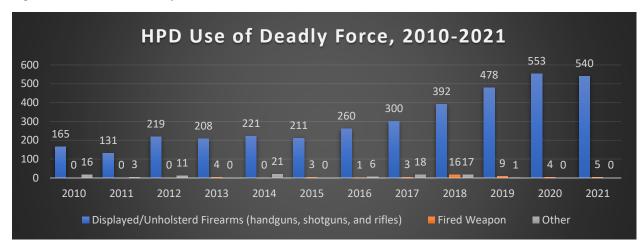


Figure 4 - Type of Police Force as a Percentage of All Uses of Force, 2010-2021

Figure 5 – HPD Use of Deadly Force, 2010-2021



Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

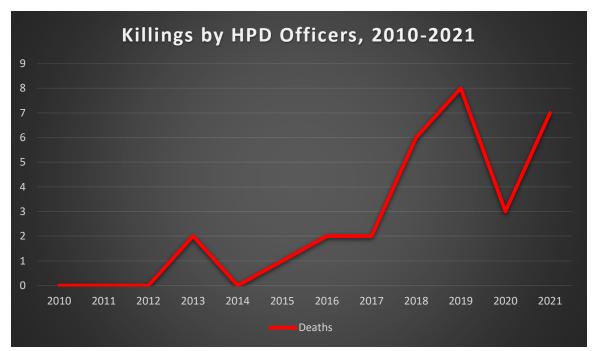


Figure 6 - Killings by HPD Officers, 2010-2021

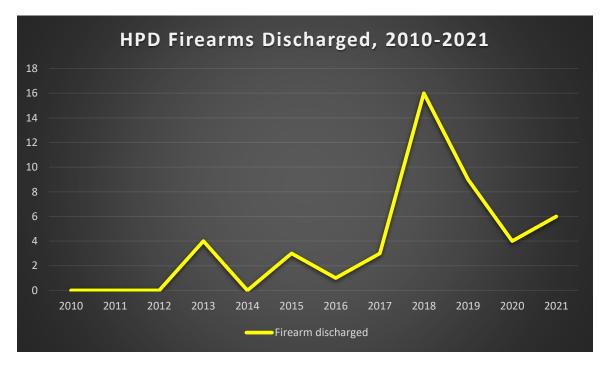


Figure 7 – Firearms Discharged by HPD, 2010-2021

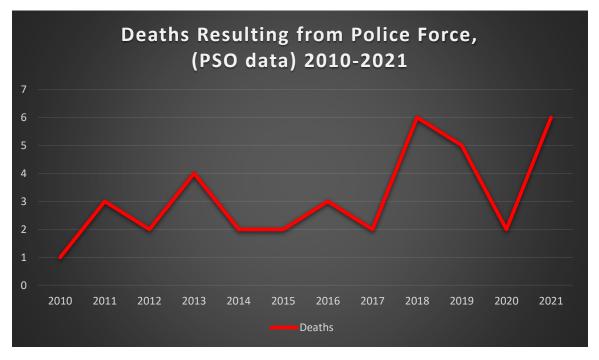


Figure 7b – Number of Subjects That Died As a Result of Force (data from HPD Professional Standards Office), 2010-2021*

*The numbers in this figure include fatal police shootings and in-custody deaths.

Source: HPD Professional Standards Office Subject Deaths Statistics

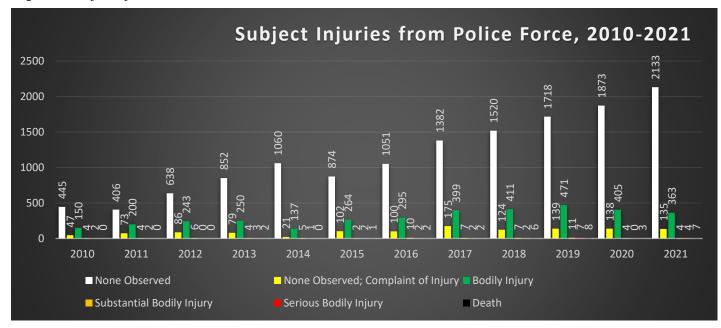
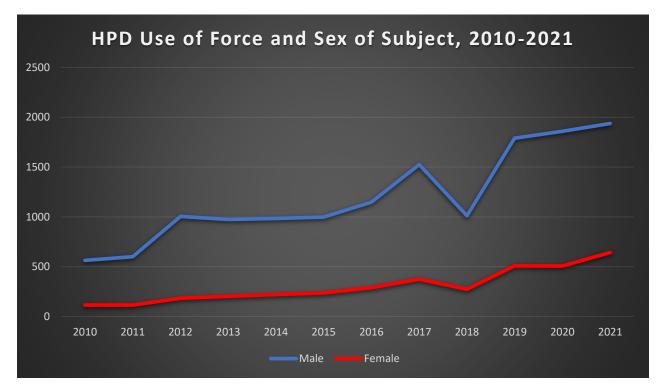
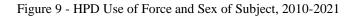


Figure 8 - Subject Injuries from Police Use of Force, 2010-2021





Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

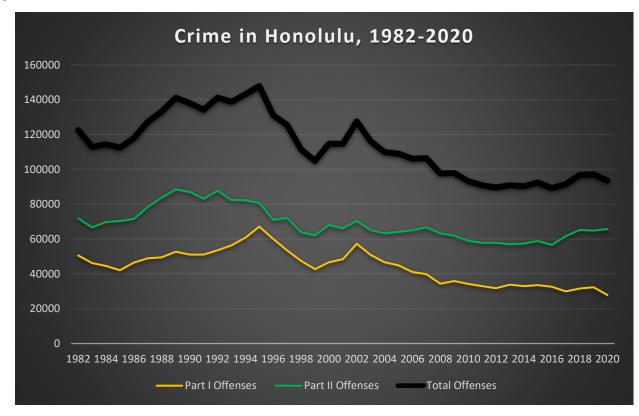
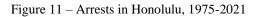
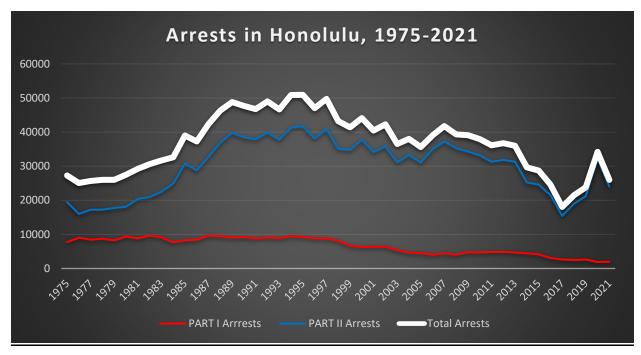


Figure 10 - Recorded Crime in Honolulu, 1982-2020

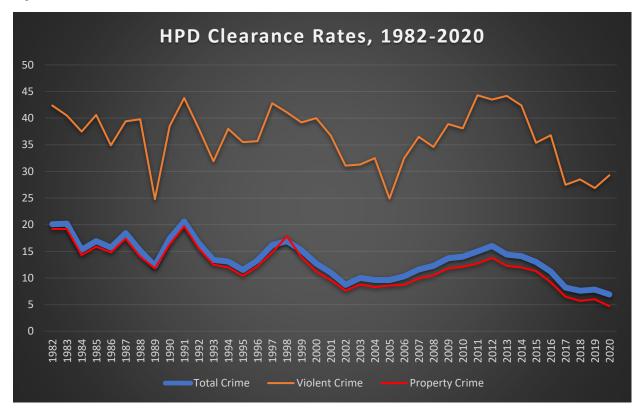
Source: State of Hawaii Department of the Attorney General, Research & Statistics Branch – Crime in Hawaii Annual Reports





Source: State of Hawaii Department of the Attorney General, Research & Statistics Branch – Crime in Hawaii Annual Reports





Source: State of Hawaii Department of the Attorney General, Research & Statistics Branch – Crime in Hawaii Annual Reports

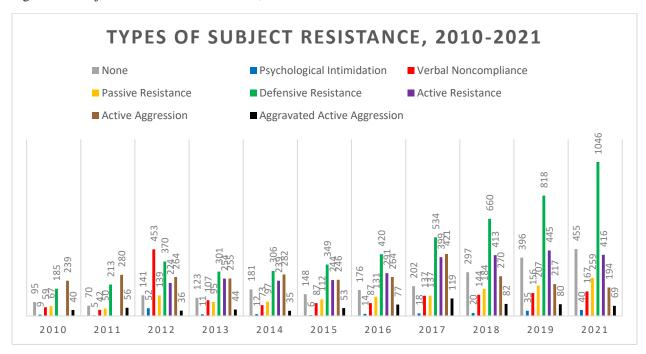


Figure 13 - Subject Resistance to Police Force, 2010-2021

Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

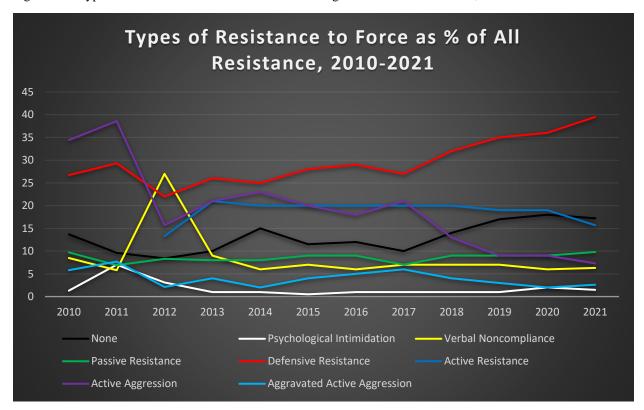


Figure 14 - Types of Resistance to Police Force as Percentage of All Resistance Cases, 2010-2021

Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

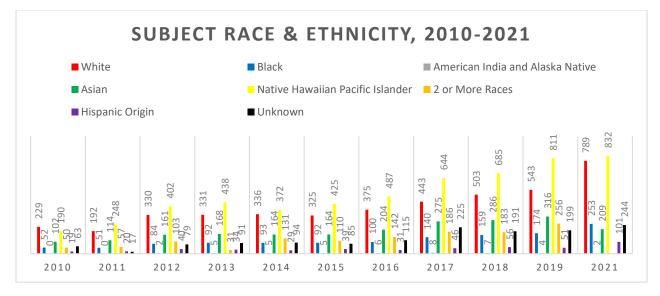


Figure 15 - HPD Use of Force and Subject Race and Ethnicity, 2010-2021

Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

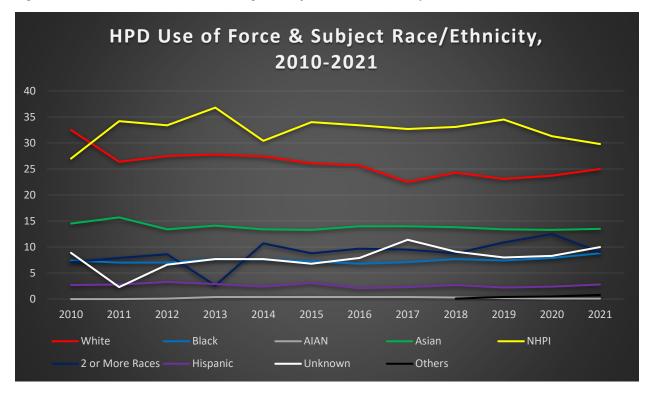


Figure 16 – HPD Use of Force and Percentage of Subject Race and Ethnicity, 2010-2021

Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

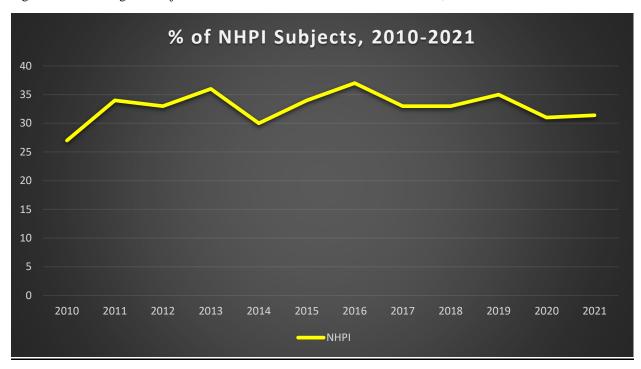


Figure 17 - Percentage of Subjects Who Are Native Hawaiian or Pacific Islander, 2010-2021

Source: 2010-2020 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

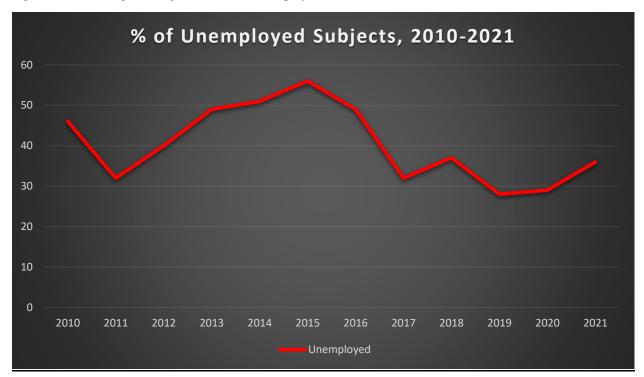


Figure 18 - Percentage of Subjects Who Are Unemployed, 2010-2021

Source: 2010-2021 HPD Annual Use of Force Reports

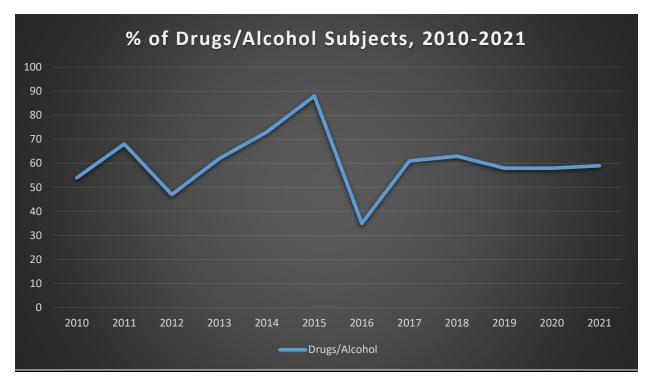


Figure 19 - Percentage of Subjects Who Used or Were Suspected of Using Drugs and/or Alcohol, 2010-2021

Source: 2010-2021 HPD Annual Use of Force Reports

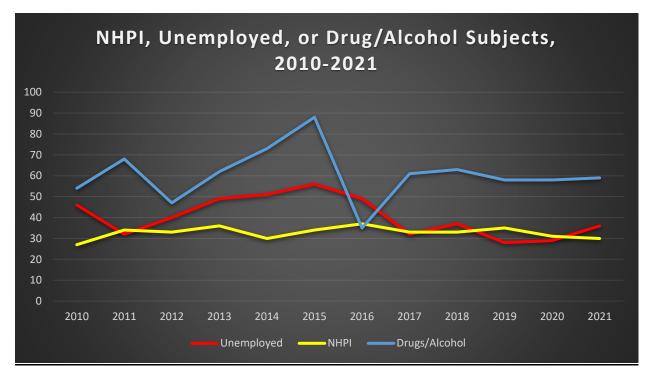


Figure 20 – Percentage of Subjects Who Were NHPI, Unemployed, or Used Drugs and/or Alcohol, 2010-2021

Source: 2010-2021 HPD Annual Use of Force Reports & 2021 HPD Use of Force Data

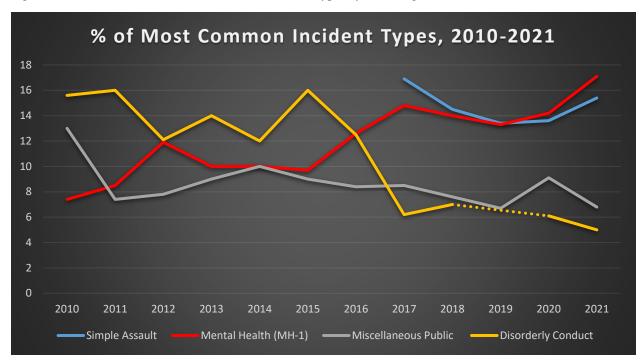


Figure 21 - Most Common Police Use of Force Incident Types by Percentage of All Incidents, 2010-2021

Source: 2010-2021 HPD Annual Use of Force Reports

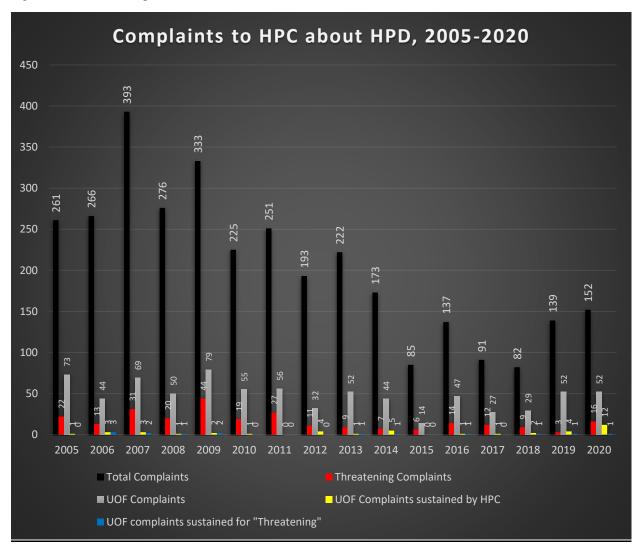


Figure 22 - Citizen Complaints to Honolulu Police Commission about HPD, 2005-2020

Source: 2005-2020 Honolulu Police Commission Annual Reports

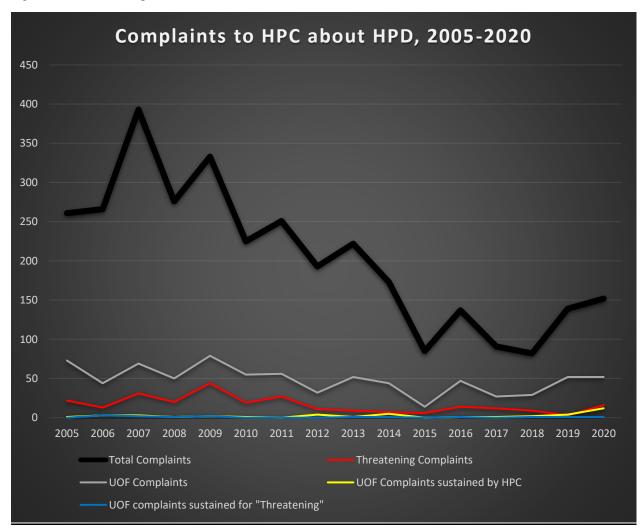


Figure 23 - Citizen Complaints to Honolulu Police Commission about HPD, 2005-2020

Source: 2005-2020 Honolulu Police Commission Annual Reports