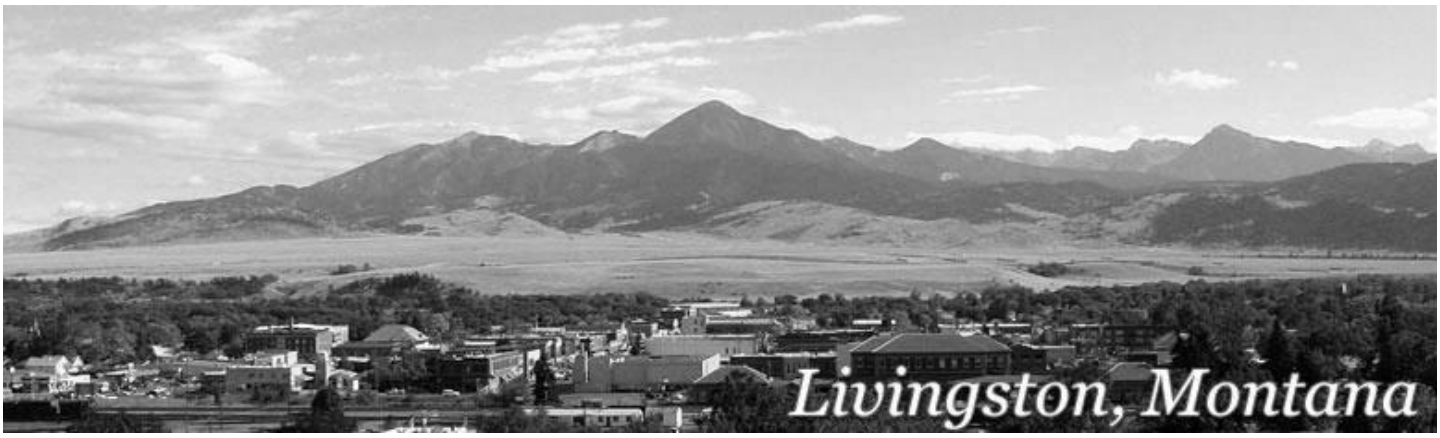


2020 Annual Report

LIVINGSTON
Montana

GO BEYOND YELLOWSTONE

LIVINGSTON POLICE DEPARTMENT
ANNUAL REPORT

YEAR 2020

Prepared by: Dale Johnson, Chief of Police

MISSION STATEMENT

of the

LIVINGSTON POLICE DEPARTMENT

It is the mission of the Livingston Police Department to enforce the laws of the United States, the State of Montana and the City of Livingston, to assist the citizens of Livingston in protecting their lives and property, and to provide service to the public to the extent which we are empowered and enabled to do so by law, by department regulation, and by financial consideration.

Law Enforcement
CODE OF ETHICS

My fundamental responsibility as a public safety officer is to serve the community, safeguard lives and property, protect the innocent, keep the peace, and ensure the constitutional rights of all are not abridged.

I shall perform all duties impartially, without favor or ill will and without regard to status, sex, race, religion, creed, political belief or aspiration. I will treat all citizens equally and with courtesy, consideration, and dignity. I will never allow personal feelings, animosities, or friendships to influence my official conduct.

I will enforce or apply all laws and regulations appropriately, courteously, and responsibly.

I will never employ unnecessary force or violence, and will use only such force in the discharge of my duties as is objectively reasonable in all circumstances. I will refrain from applying unnecessary infliction of pain or suffering and will never engage in cruel, degrading, or inhuman treatment of any person.

Whatever I see, hear, or learn, which is of a confidential nature, I will keep in confidence unless the performance of duty or legal provision requires otherwise.

I will not engage in nor will I condone any acts of corruption, bribery, or criminal activity; and shall disclose to the appropriate authorities all such acts. I will refuse to accept any gifts, favors, gratuities, or promises that could be interpreted as favor or cause me to refrain from performing my official duties.

I will strive to work in unison with all legally authorized agencies and their representatives in the pursuit of justice.

I will be responsible for my professional development and will take reasonable opportunities to improve my level of knowledge and competence.

I will, at all times ensure that my character and conduct is admirable and will not bring discredit to my community, my agency, or my chosen profession.

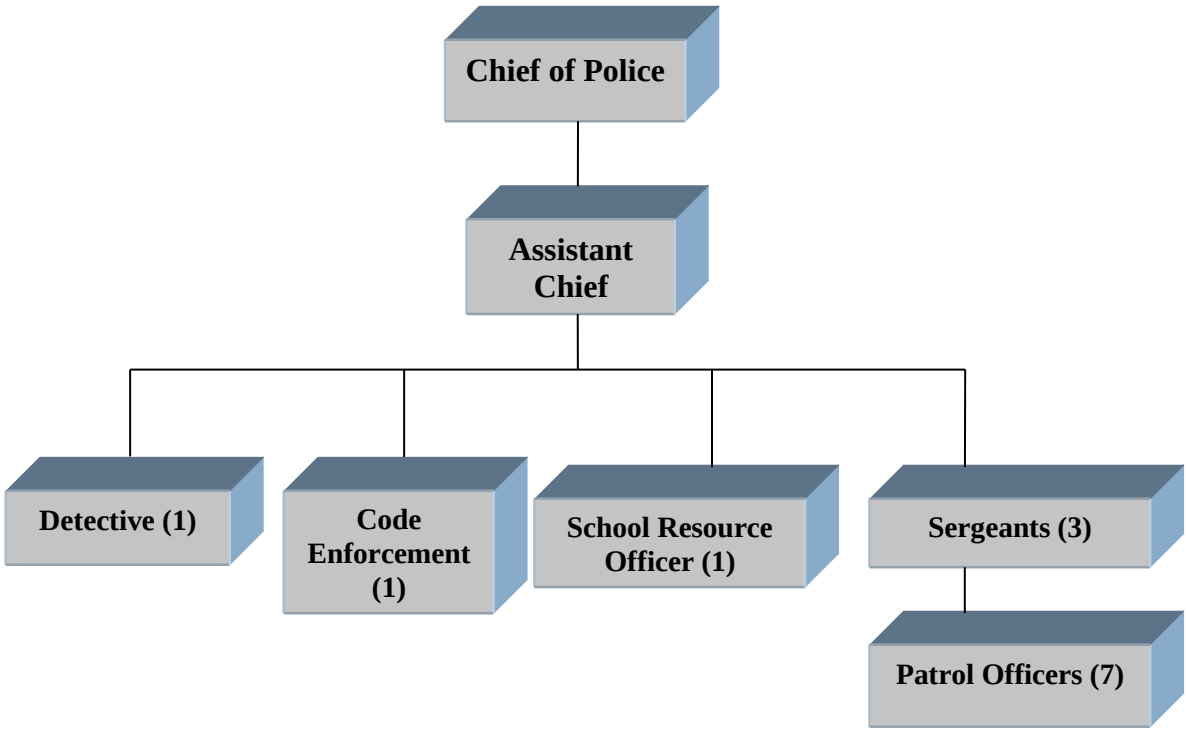
PERSONNEL

DEPARTMENT STAFFING

Police Department

The police department's budgeted staffing is 15 full-time sworn officers. The structure consists of the Chief, Assistant Chief, three (3) Sergeants, seven (7) Patrol Officers, one (1) full time Detective, one (1) School Resource Officer (SRO) and one (1) Code Enforcement Officer. The code enforcement duties were taken over by the LPD during a citywide restructuring, which added one full time position to the department in 2018.

	2020 Budgeted Positions	2020 Staffed Positions
Chief of Police	1	
Assistant Chief	1	
Sergeant	3	
Detective	1	
Patrol Officer	7	
School Resource Officer	1	
City Code Enforcement Officer	1	

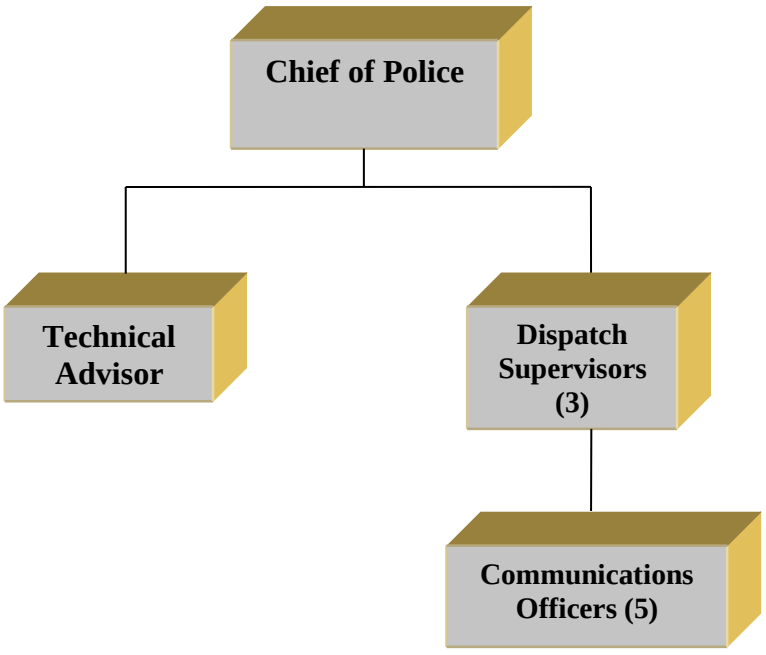


Dispatch

Historically, the Park County 911/ Dispatch Center was under the supervision of the Livingston Police Department since its creation. For a short while, the dispatch center was its own autonomous entity under the direct supervision of the City Manager. In 2018, after a citywide restructuring, Dispatch was once again placed under the supervision of the Livingston Police Department's Chief of Police with a Technical Advisor position created to handle the technical aspects and equipment needs of the center. The Dispatch is budgeted for nine (9) positions, which include the Technical Adviser who also works the dispatch console part time, three (3) supervisors and five (5) communications officers.

The 911/ Dispatch Center is the primary dispatching center for the entire county, which includes the Livingston Police Department, Park County Sheriff's Office, Livingston Fire and Rescue, Rural Fire #1, Wilsall Rural Fire, Clyde Park Rural Fire, Clyde Park City Fire and EMS, Paradise Valley Fire and EMS and Fish and Game. As well as assisting with the Montana Highway Patrol and Montana Department of Transportation

2020 Budgeted Positions	2020 Staffed Positions
Chief of Police	1
Technical Advisor	1
Communication Supervisor	3
Communications Officer	5



POLICE ACTIVITY

PATROL OFFICER WORKLOAD

Patrol Officers respond to the vast majority of calls for service we receive. There are times staffing shortage can be expected due to vacation, sick leave, injury, and training. Although available when needed, the Detective, Chief, Assistant Chief and the School Resource Officer (during school months) do not typically respond to calls for service on a routine basis. **In reality, the number of calls per patrol officer is actually much greater than shown.**

In the 1980's, based on full staffing of 10 sworn officers as of 1989, officers averaged 317 calls per year. Despite adding 2 sworn positions in the 1990's, this average rose when the number of calls escalated rapidly during this time period. A new position was added in the fall of 2001 when the City entered into an agreement with the school district and a private citizen to fund a School Resource Officer position. The SRO position is now jointly funded by the City and the School District. Although the SRO is assigned to the schools during the school year, the position is available for patrol during the summer months to assist with the added workload. Despite this added position, the workload continued to grow.

The average number of calls per officer from 2000-2009 reflect a 70% increase from the 1980's and a 20% increase from the 1990's. A 14th sworn position was added in 2009, which attributed to a decline in the average numbers of calls per officer in subsequent years. The 2020 calls for service per officer is considerably higher than the 1980's and prior, higher than the 1990's, and has surpassed the number of calls per officer as in the 2000's. Over the past several years, the workload of officers continues to grow reaching record numbers every year.

As the number of calls per officer increases, less time is available for routine patrol duties and traffic enforcement. Each call for service can be time consuming, some more so than others, considering response time and any follow-up work that needs to be done. Calls that require an investigation or that lead to an arrest require several written reports to be generated and data entered into the computerized records management system, in addition to time dedicated to the investigation or activity related to the call. Increased workload also requires officers to prioritize calls and assess how much time to dedicate to less significant issues or routine patrol activities.

Regardless of the number of calls for service officers must respond to, it is important to recognize that much of the time there are only two (2) patrol officers on duty and often only one (1) officer is on duty. While most calls we receive are non-threatening in nature, on-duty officers are expected to immediately respond to whatever situation occurs, if necessary, dealing with hostile situations and dangerous persons alone or with little assistance. Typical of smaller jurisdictions, our officers do not always benefit from relying on multiple officers to assist with a dangerous situation.

CITIZEN CALLS FOR SERVICE

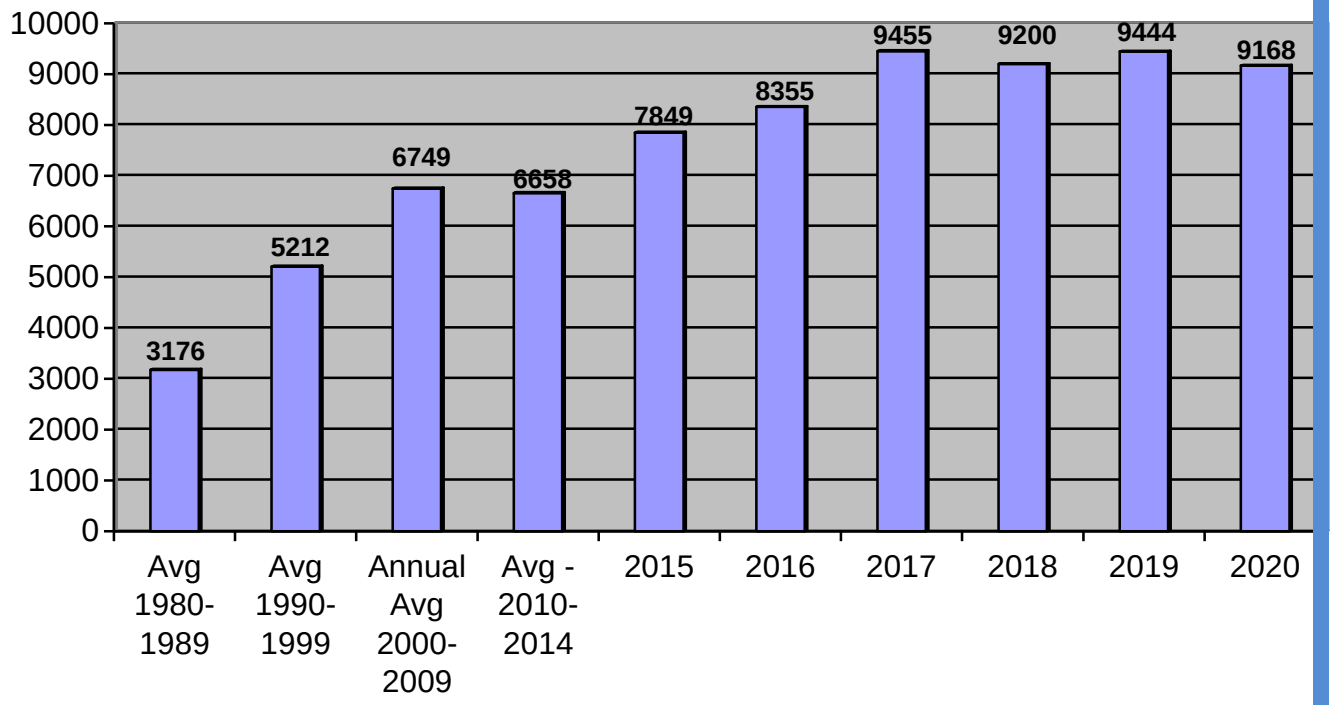
911/ Dispatch Center

In 2020, the 911/ Dispatch center handled 21,359 calls for all the various entities in Park County. This does not include calls received on a daily basis that do not require any type of response from a first responder or emergency services. These are things such as, requesting phone numbers for other organizations, questions not pertaining to emergency services, or other irrelevant issues that tie up the dispatch lines and personnel.

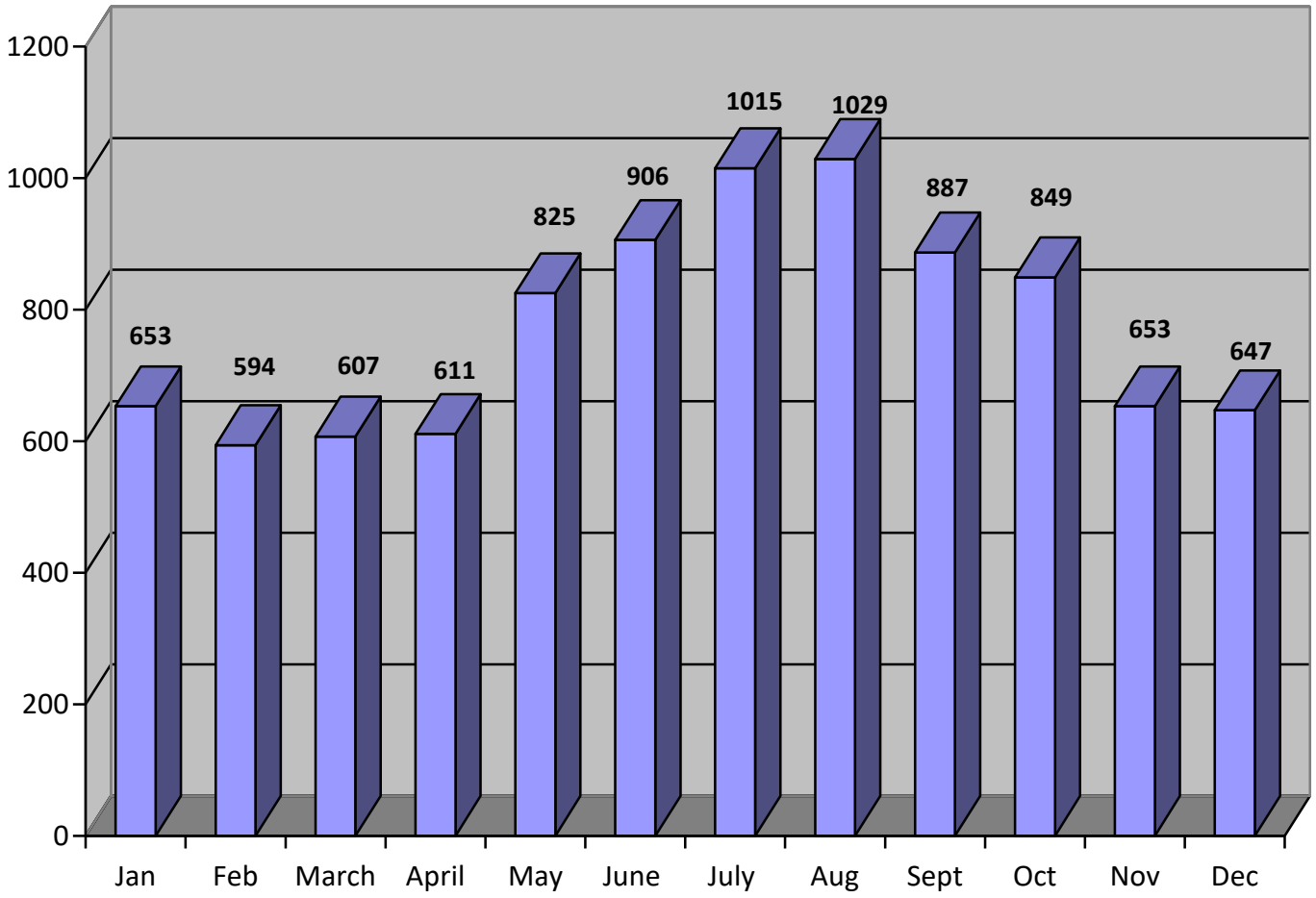
Police Department

The police department received 9,168 calls for service in 2020. This is only a 2.9% decrease during a pandemic with statewide stay-at-homes orders mandated by the governor's office. Calls for service represent all calls received by the communications center that fall within our jurisdiction in which the Livingston Police Department respond, including Fire/EMS and animal related calls. Not counting the chief, assistant chief, detective and SRO, the average number of calls per officer was 833 calls per each patrol officer in 2020.

Annual Calls for Service - Police



Calls for Service by Month - Police

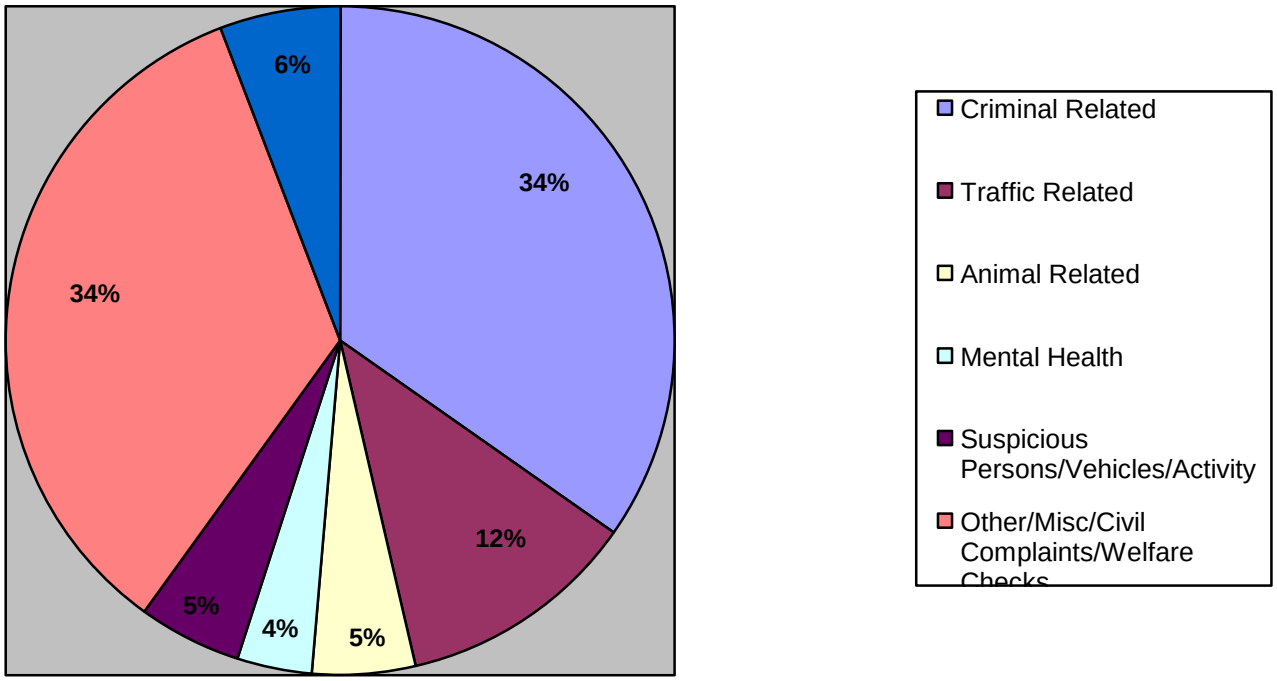


March and April both have exceptionally low call volume compared to previous years, which is not surprising as it coincides with the statewide bar/ restaurant closures (March 20th) and stay-at-home orders (March 26th) due to the COVID-19 pandemic. What is surprising though, we had a record high number of calls during the summer months after the Phase 2 re-opening of business, even with restrictions, social distancing requirements and limitations still in place.

TYPES OF CALLS RECEIVED

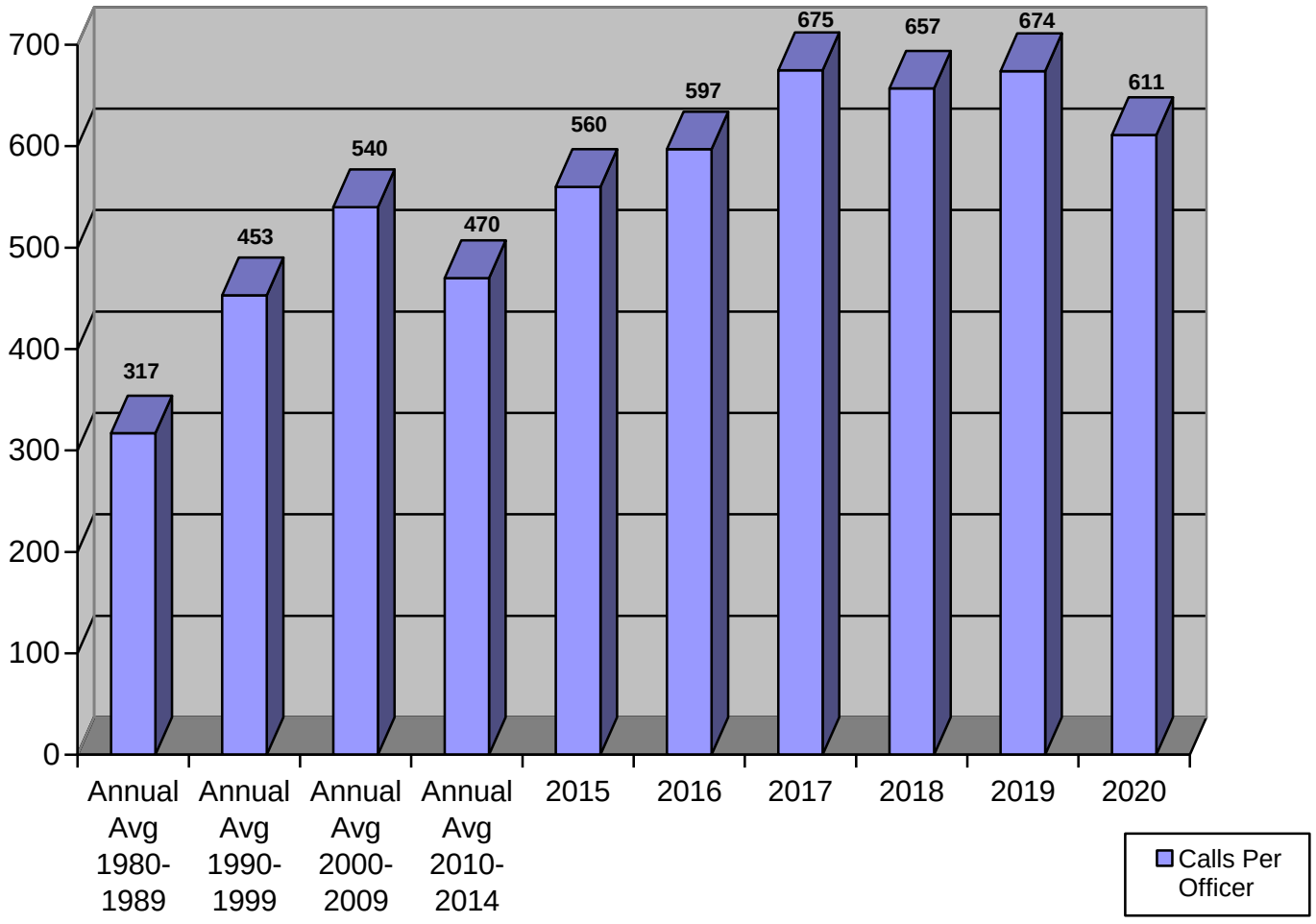
Officers respond to a wide variety of calls, many of which may be unrelated to crime or law enforcement activities but are time consuming for the officers. Consistent with previous years, a large portion of calls received is of a non-criminal nature, but require an officer's time nonetheless.

Calls for Service - by Type



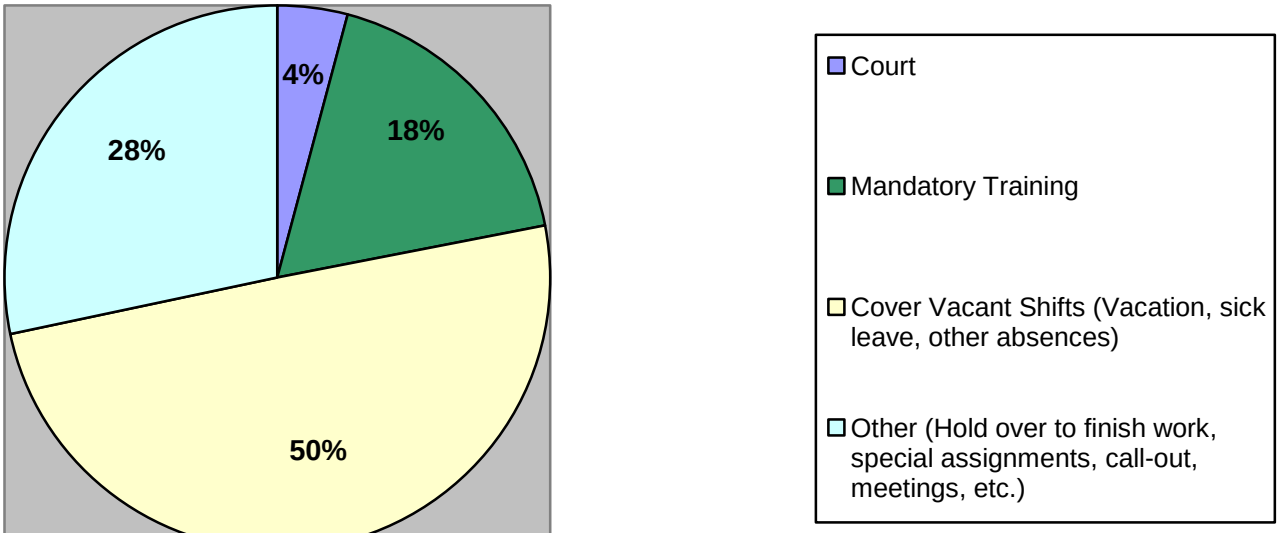
Annual Number of Calls per Officer, 1980 – 2020

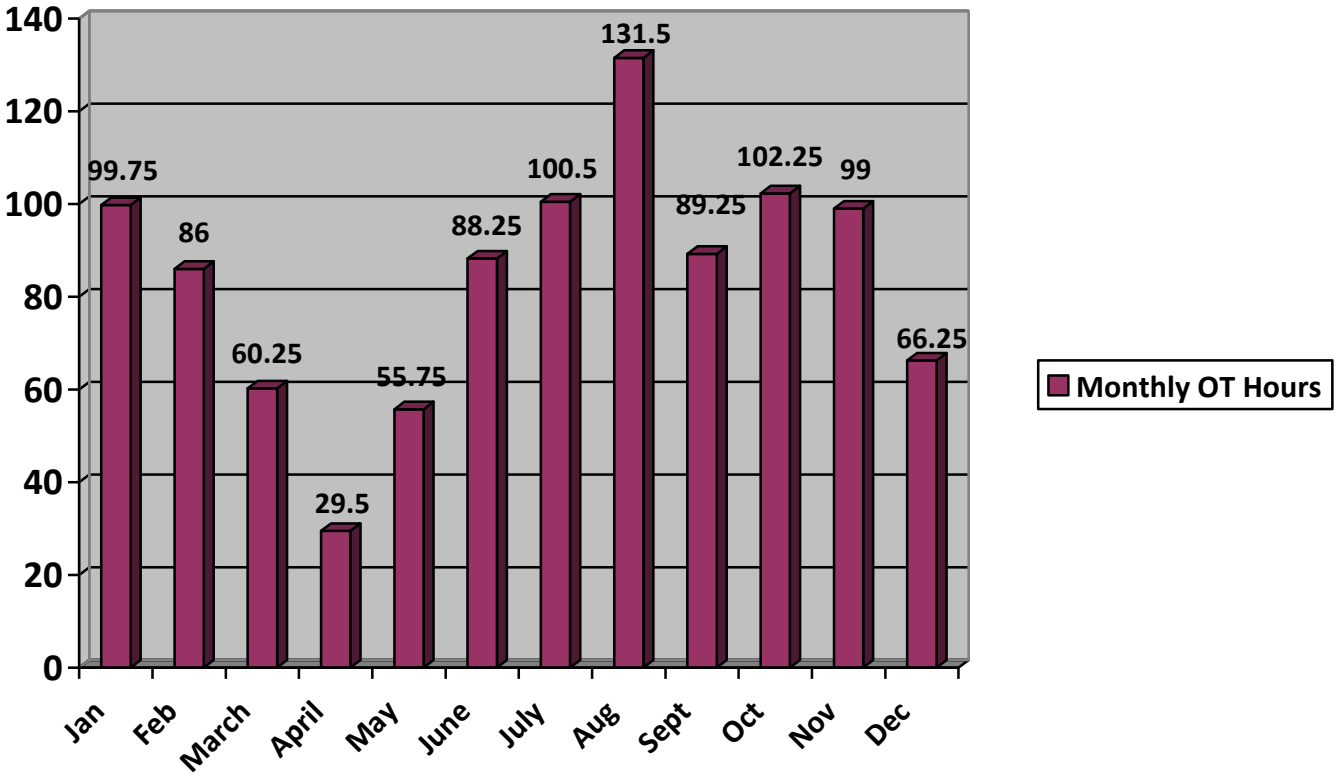
The numbers below are based on actual number of officers available. As mentioned previously, the chief, assistant chief, detective and SRO typically do not respond to calls on a regular basis, so the numbers each patrol officer responded to are significantly higher than shown. The significant drop in calls per officer can be accounted to the COVID-19 pandemic but mainly to the fact that the LPD had 15 officers for the majority of 2020 compared when we were under staffed for much the previous years.



2020 Overtime Usage Distribution

(Actual number of hours logged)

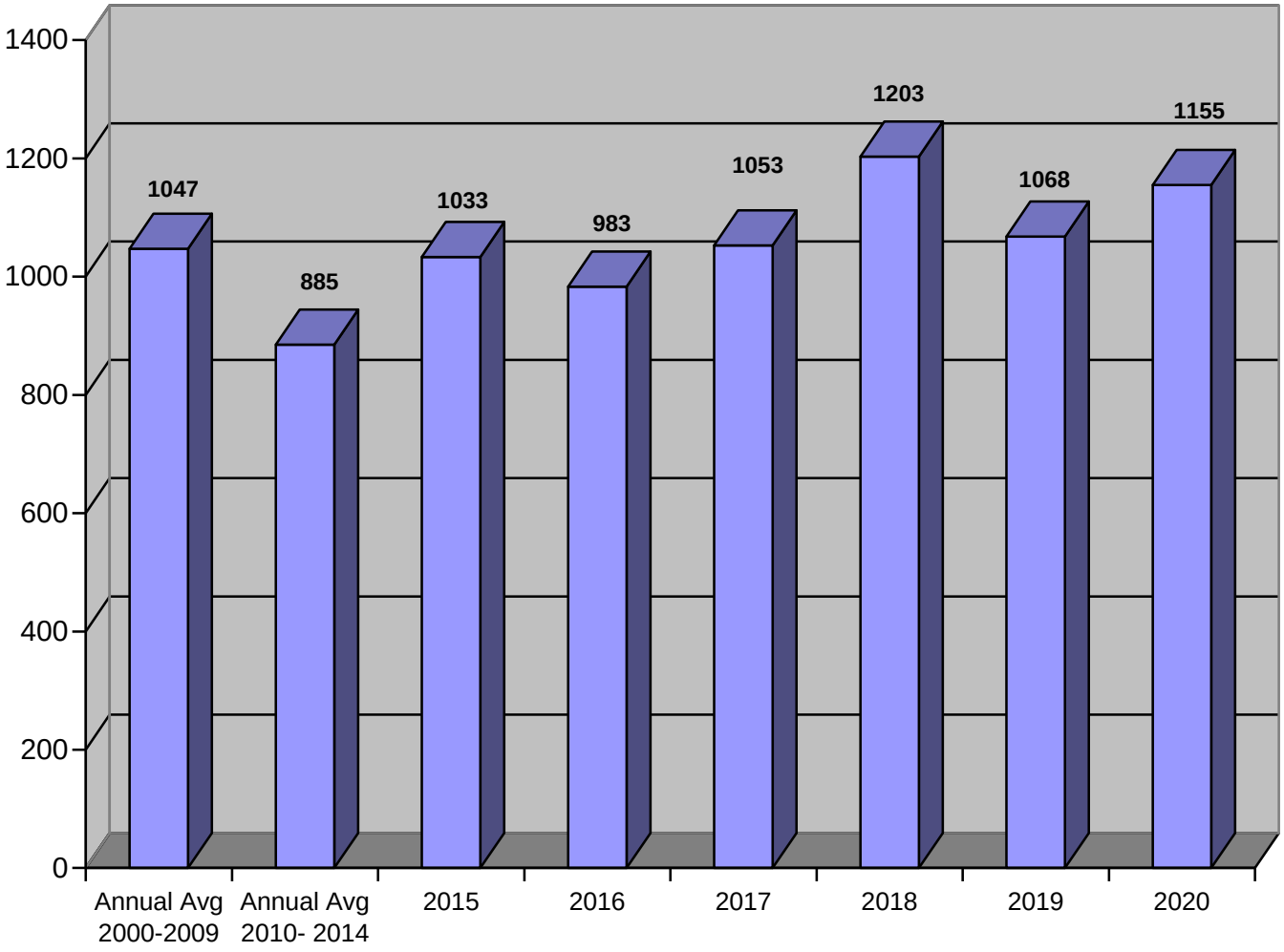




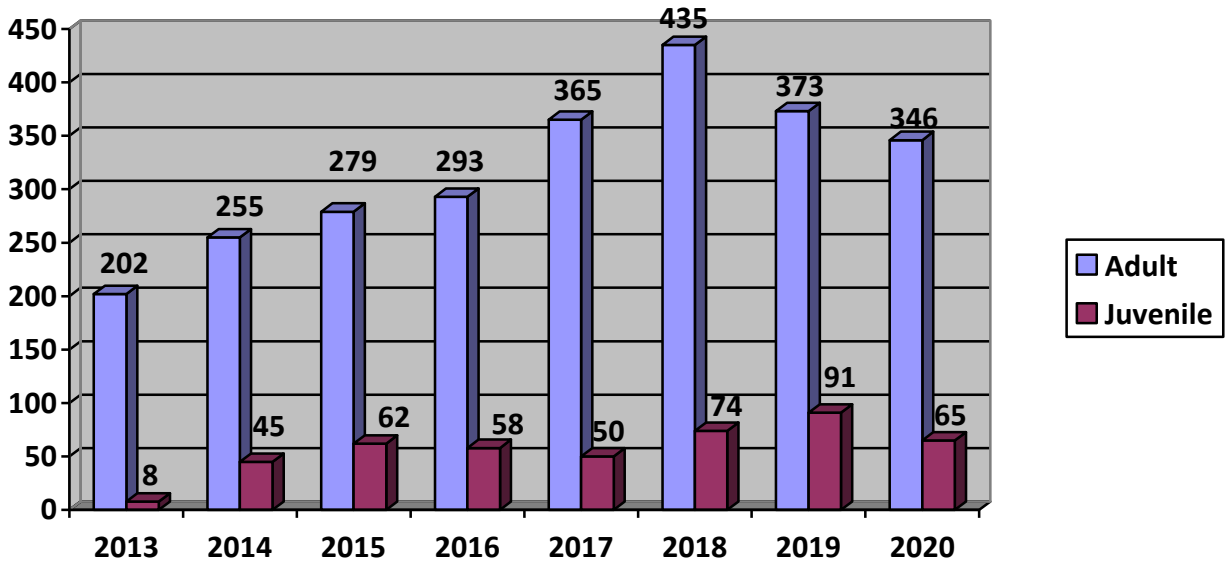
INVESTIGATIONS

Officers generated 1155 written Investigative reports. Investigative Reports are written when a calls for service results in a criminal investigation, arrest or other police action requiring written investigative reports and follow-up activity.

INVESTIGATION REPORTS, 2000 – 2020



ARRESTS


450
400
350
300
250
200
150
100
50
0
202
8
255
45
279
62
293
58
365
50
435
74
373
91
346
65
2013
2014
2015
2016
2017
2018
2019
2020
Adult
Juvenile

SPECIALIZED AREAS WITHIN THE LIVINGSTON POLICE DEPARTMENT

BICYCLE PATROL

Several specially trained officers continued to conduct bicycle patrols throughout the City at various times of the day and night, depending on workload and the availability of enough officers to provide vehicle patrol. Bicycle patrols are very effective in proactive patrol, being stealthy and versatile. Officers can cover much more area than foot patrols, and are less visible to potential offenders than marked patrol vehicles. Bicycle patrol officers are typically more approachable to citizens, affording enhanced interaction with the public.

SCHOOL RESOURCE OFFICER (SRO)

In 2001 the City entered into an agreement with the school district and a private citizen to fund a School Resource Officer position. The SRO is a sworn police officer who is assigned to the schools during the school year and is available for patrol during the busier summer months. The SRO program continues to be a highly effective program by interacting with the youth of the community in a positive and proactive setting. The funding for this program is currently split between the school district and the City.

MISSOURI RIVER DRUG TASK FORCE

The Livingston Police Department continued to be a member of the Missouri River Drug Task Force, a multi-jurisdictional effort funded by a federal grant with partial contributions from participating agencies. Pursuant to the agreement, the City of Livingston and Park County equally fund a portion of the costs necessary to provide one full time Park County deputy who works with the task force as a full time investigator. Our officer's work closely with this investigator, sharing drug related intelligence and forwarding cases for follow up investigation by the task force. These joint efforts continue to be successful in prosecuting drug offenders in Livingston and Park County.

CODE ENFORCEMENT

In 2018, the city underwent a citywide restructuring moving the code enforcement position from the public works department to the police department. This resulted in an increase in the total number of sworn law enforcement officers in the LPD to 15. The position was filled with an existing officer and proved very successful. The position is responsible for ensuring the city code compliance, which includes the 2-hour parking downtown, abandoned vehicles, trailers parked over the time allotment, blight, overgrown weeds, snow removal, along with other city codes. In 2020, we successfully were able to assign an office to this position full time.

CANINE UNIT

The department maintains one canine unit, consisting of a specially trained and certified dog/handler team. The canine is certified in narcotics detection, article search, tracking, building search, area search, officer protection and aggression control.

The biggest development of 2020 was K9 Bobi retired at the end of May, after almost 10 years of service to the City of Livingston as a member of the police department. He was a great asset and will be missed, but I understand he is enjoying his retirement life to the fullest.

Bobi's many years of service

K9 Bobi getting a preview of his retirement life

We were fortunate enough to qualify for a state grant, which allowed us to purchase another patrol K9 to replace Bobi. Our K9 officer went to Ohio in June to pick up our newest K9 member, Rhino. Rhino is a year and a half Malinois / Shepherd mix. While in Ohio, Rhino and his handler underwent over 200 hours of training together and Rhino acquired his North American Police Working Dog Association (NAPWDA) certification. He is eager and excited to work

Our newest K9 member Rhino

The canine unit assists other agencies upon request, including the Park County Sheriff's Office and the Montana Highway Patrol as well as state agencies such as the Montana Department of Corrections.

With the early retirement of Bobi and new member Rhino, our numbers are significantly lower this year. In 2020, there were two (2) public demonstration conducted for various organizations in Park County. The Park County Sheriff's Office was able to acquire their own patrol K9 also, so I would anticipate our deployment numbers from other agencies will begin to decrease once "Briggs" begins responding to PCSO calls.

CANINE DEPLOYMENTS BY TYPE

Building Searches	Vehicle Sniffs	Tracking	Call Outs
1	2	2	2

LPD Canine Deployments by Agency (Agency Assists)

Livingston P.D.	Park County S.O./ MRDTF
5	2

USE OF FORCE INCIDENTS

Many force and equipment options are available to officers. They must choose an appropriate option based on the threat, either actual or perceived, including but not limited to: officer presence, verbal direction, physical control, chemical or inflammatory agents, impact weapons, Electronic Control Devices (Tasers), firearms, vehicles, and/or weapons of necessity or opportunity.

It is the policy of the Livingston Police Department that officers use the amount of force which is objectively reasonable to make an arrest, gain control of a situation, or to protect the officer or another from harm, given the facts and circumstances perceived by the officer at the time force is applied.

A separate written Use of Force Report is completed and documented, in addition to an incident report, in any of the following use of force incidents:

- Discharge of a firearm, accidentally or intentional, at or toward any person
- Striking of a subject with an impact weapon, or other weapon of necessity or opportunity.
- Discharge of a Taser.
- Use of force that results in injury to the subject, or complaints of injury.
- Use of physical or weaponless force against an individual to the extent it is likely to cause or lead to unforeseen injury, claim of injury or allegations of excessive force.
- Use of empty hand stunning or striking techniques.
- Discharge of a chemical weapons.
- Use of a vehicle as an offensive weapon.
- The use of a canine to apprehend a subject, resulting in a bite.
- The pointing of a weapon at any person, or drawing a weapon accompanied by verbal threats to use the weapon. This does not apply to the drawing of weapons in appropriate situations where officers do not point the weapon at any person or threaten to use the weapon.
- The use of leg restraints.

Separate Use of Force Reports are not required for weaponless hand to hand control techniques that have little or no chance of producing injuries when gaining control over or subduing non-compliant or resisting persons. These techniques include, but are not limited to, physical touching, escort holds, gripping or holding, frisking, or handcuffing.

Use of Force Reports

- Use of force reports in 2020 16
- Use of force reports in 2019 26
- Use of force reports in 2018 20
- Use of force reports in 2017 17
- Use of force reports in 2016 16

Taser Deployments:

- Taser deployments in 2020 0
- Taser deployments in 2019 0
- Taser deployments in 2018 6
- Taser deployments in 2017 3
- Taser deployments in 2016 3

- Officers injured from Taser deployments in 2020 0
- Officers injured from Taser deployments in 2019 0
- Officers injured from Taser deployments in 2018 0
- Officers injured from Taser deployments in 2017 0
- Officers injured from Taser deployments in 2016 0

- Suspects injured from Taser deployments in 2020 0
- Suspects injured from Taser deployments in 2019 0
- Suspects injured from Taser deployments in 2018 0
- Suspects injured from Taser deployments in 2017 0
- Suspects injured from Taser deployments in 2016 0

Reason for Use of Force – 2020 (More than one may apply during each incident)

Effect Arrest	Prevent Escape	Defend An Officer	Defend Other Person	Restrain Person For Their Own Safety	Prevent Escalation Of The Situation	Felony Vehicle Stop	Alarm Call	Other
9	1	9	2	2	4	1		

Resulting Outcome

Misdemeanor Arrest	Felony Arrest	Protective Hold (Mental)	Suspect Escaped	Other
9	5	2		

At Time of Contact, the Individual was; (As perceived by officers)

Under Influence Of Alcohol Or Drugs	Suspected Under The Influence	Mentally Health Issues	Emotionally Upset	Normal
8		3	5	2

Level of Resistance (More than one may apply during each incident)

None	Psychological Intimidation	Verbal Non-Compliance	Passive Resistance	Escape Resistance	Active Aggression	Aggravated Active Aggression - Weapon Visible	Aggravated Active Aggression – Weapon Used
	11	6	9	9	3	5	

Control Techniques Used (More than one may apply during each incident)

Leg Restraint	Verbal Commands While Displaying TASER	Verbal Commands While Displaying Impact Weapon	Verbal Commands While Displaying Firearm	Verbal Commands With Firearm Pointed At Individual	Soft Empty Hand Control Techniques	Chemical Weapon / Taser Used	Hard Empty Hand Control Techniques	Impact Weapon Used
2	1			6	11		1	

PERSONNEL COMPLAINTS / COMPLIMENTS

The Livingston Police Department is committed to receiving and accepting complaints and compliments about the actions and performance of all our personnel. We believe the public is entitled to efficient, fair and impartial service. We investigate the allegations of employee misconduct, respond to inquiries about employee actions or department policy, and document all commendations received from the public.

We formally investigate all allegations and inquiries for the following reasons:

1. To protect citizens from misconduct by an employee.
2. To identify and take appropriate action against employees who violate the law, department policy, or rules and regulations.
3. To protect the department and those employees who conduct themselves appropriately.
4. To identify policies and procedures that may need review or change, and to find ways to improve the quality of service to the community.

Complaints against employees may be initiated by citizens or internally. Citizen complaints generally pertain to improper conduct or unsatisfactory service. Internal complaints generally deal with violations of policy, SOP or rules and regulations. Complaints are resolved in one of the following manners:

1. **Unfounded** – The investigation conclusively proved that the allegations or act complained of did not occur.
2. **Exonerated** – The acts that formed the basis for the complaint or allegation did occur, but were justified, lawful, and proper according to department policy or standard operating procedures.
3. **Not Sustained –** The investigation failed to discover sufficient evidence to clearly prove or disprove the allegations made.
4. **Sustained –** The investigation disclosed a preponderance of the evidence to prove the allegation(s) made.
5. **Sustained with Qualifications** - The investigation discloses the action complained of did in fact occur, but not in the manner or to the degree stated.
6. **Unresolved –** The investigation cannot proceed because the complainant failed to disclosed promised information to further the investigation; or the complainant wished to withdraw the complaint; or the complainant is no longer available to provide necessary information. This finding may also be used when information provided is not sufficient to determine the identity of the officer(s) involved.

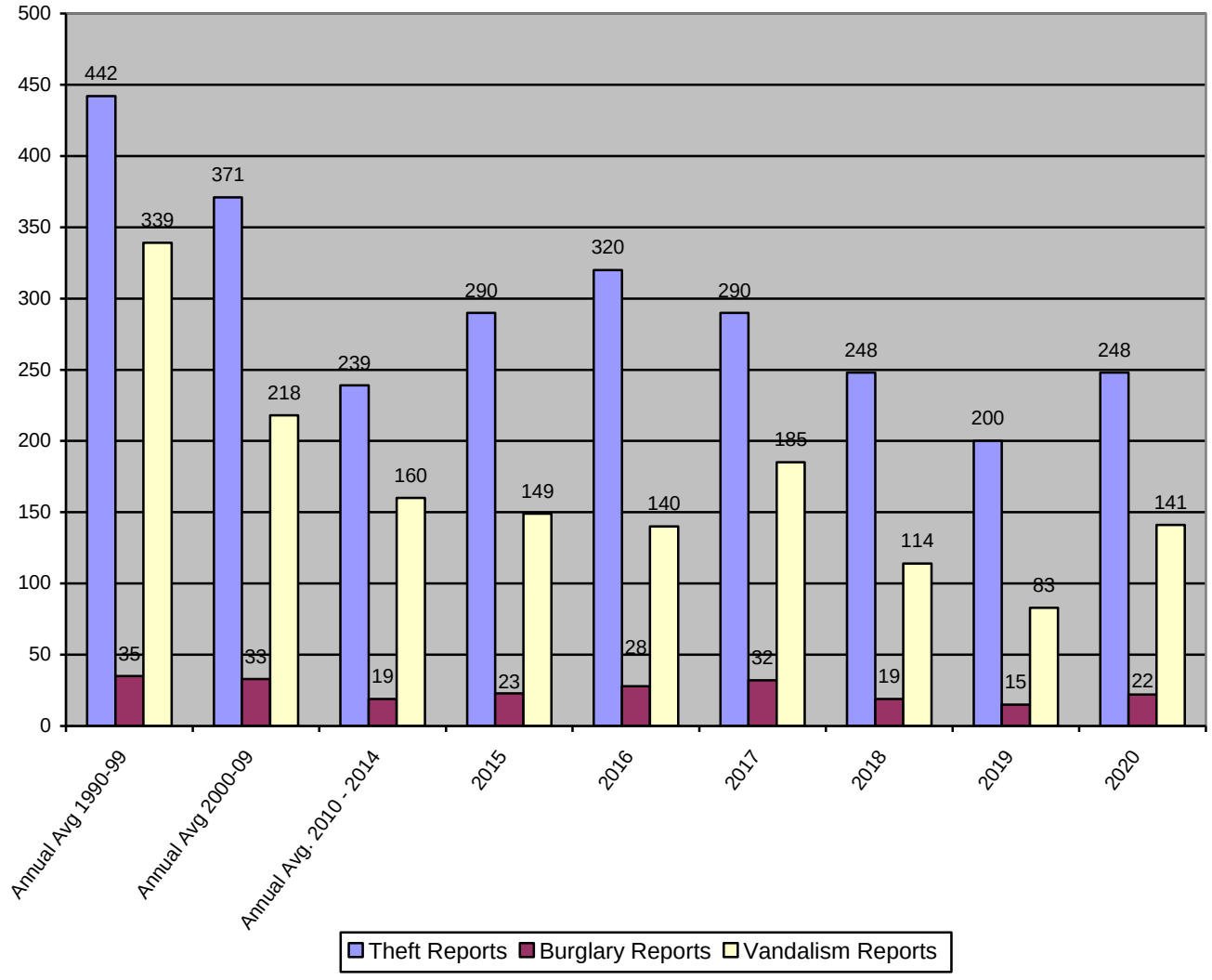
If a complaint is sustained against an employee, appropriate action will be taken. The action may involve counseling, written reprimand, suspension from duty, termination, criminal prosecution, or other action.

2020 PERSONNEL COMPLAINTS

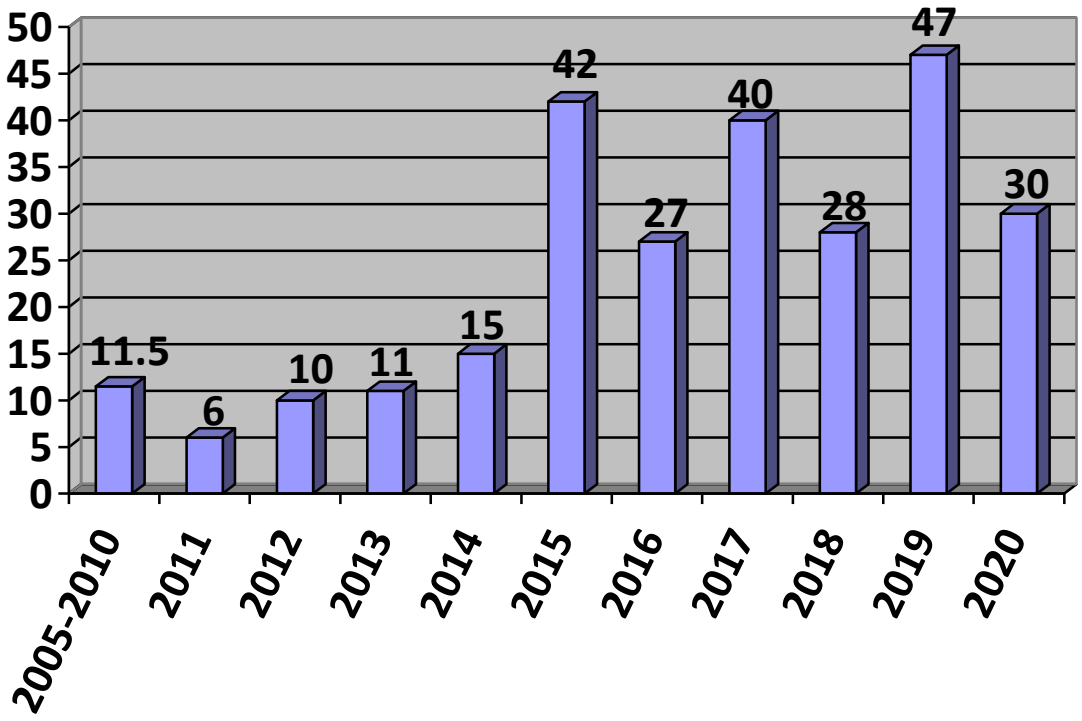
Complaint Type	Source	Findings	Resolution
Policy Violation	LPD Supervisor	Sustained	Verbal Counseling
Officer Conduct	Citizen	Exonerated	No Violation
Abuse of Authority	Citizen	Sustained with Qualifications	No Violation
Dereliction of Duty	Citizen	Exonerated	No Violation
Failure to Act	Citizen	Unfounded	No Violation

PROPERTY CRIMES REPORTED

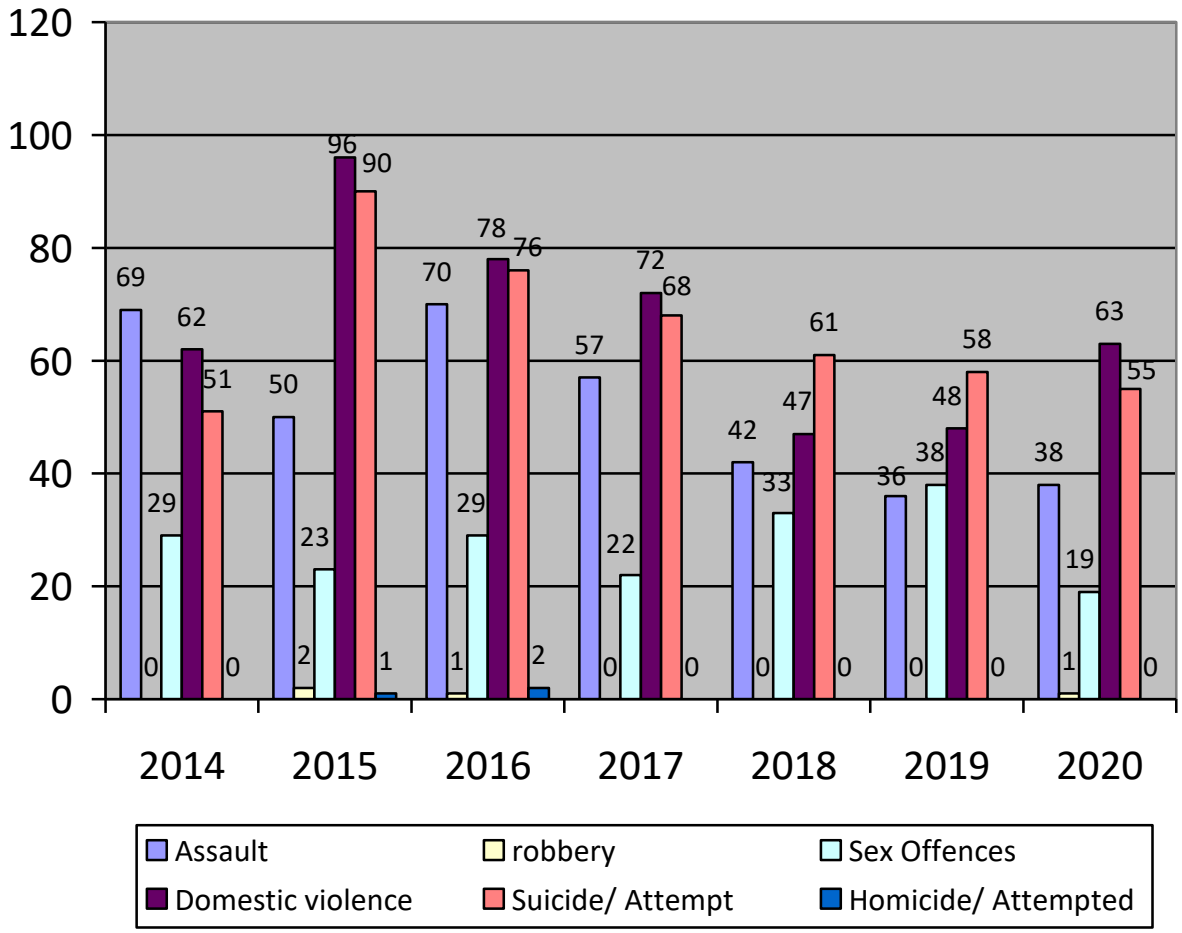
Property Crimes Reported, 1990 – 2020



Stolen Vehicles



VIOLENT CRIMES REPORTED



We received 382 complaints of some type of a Disturbance in 2020. While these calls can range from loud music to verbal domestic arguments, the vast majority of them are due to disorderly individuals.

VEHICLE CRASHES

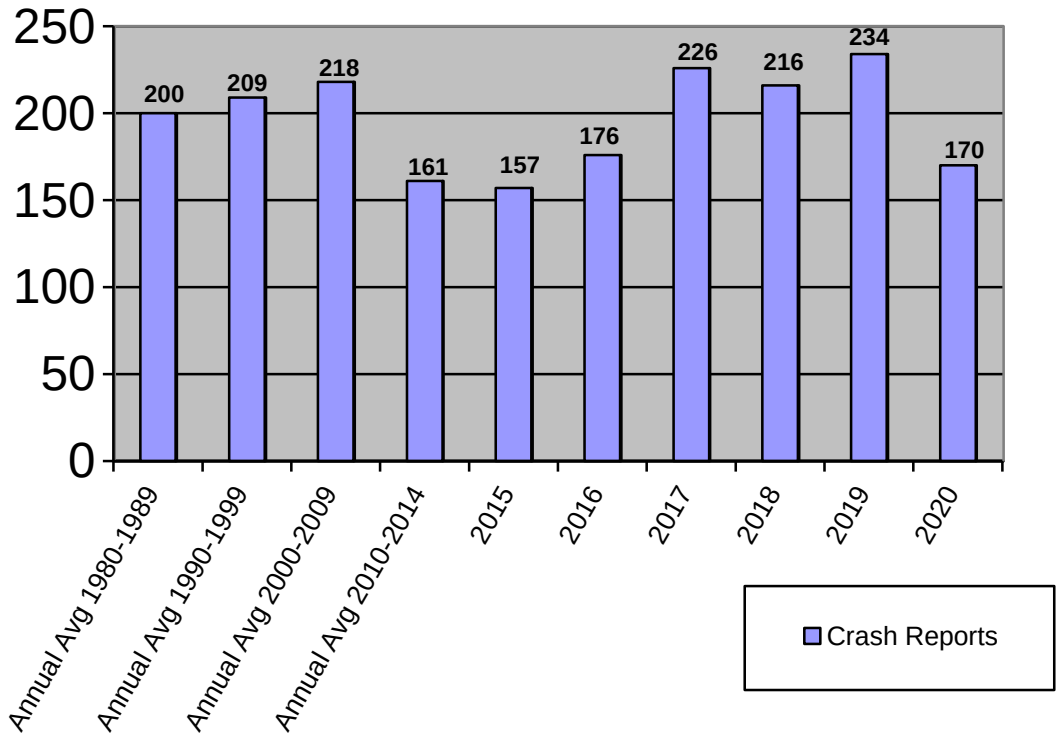
Officers completed 170 vehicle crash reports in 2020, although significantly lower than the previous few years, but still higher than the beginning of last decade. With the COVID restrictions in place, considerably fewer people were driving especially in the spring months.

Of the crashes that occur on public roads (not including private property, such as parking lots), most, 59%, were not intersection related.

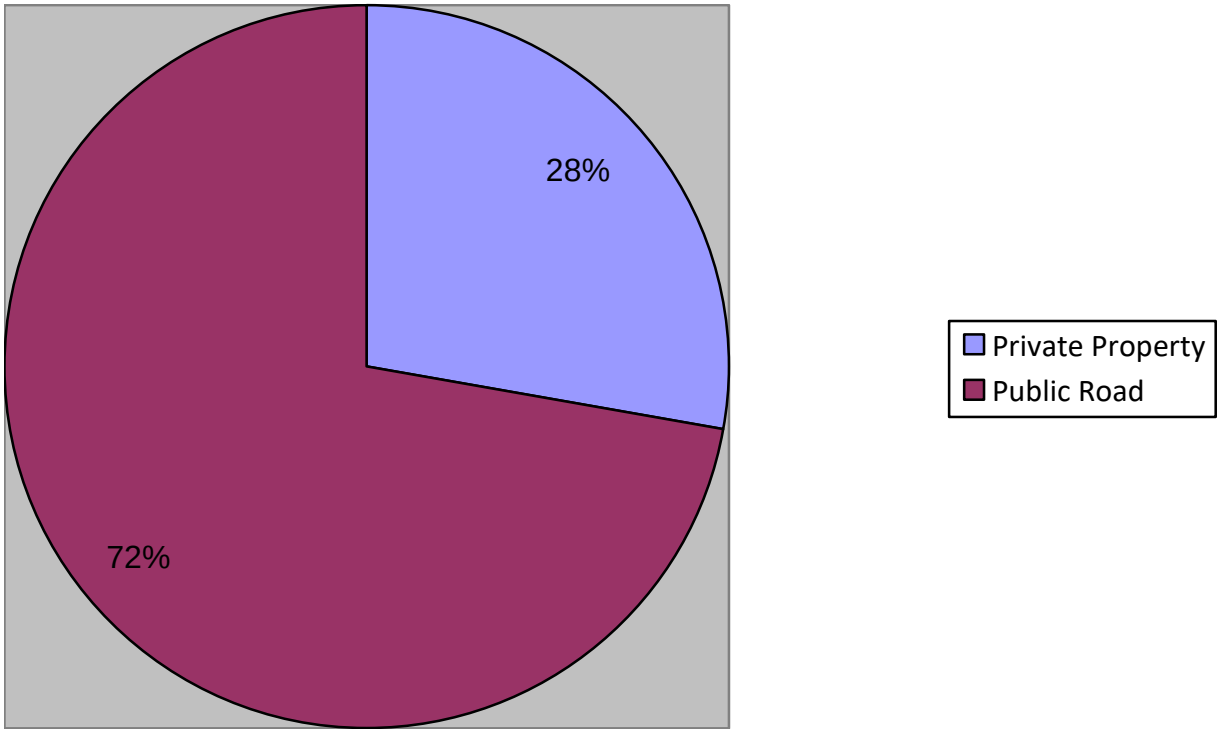
88% of intersection related crashes occur at controlled intersections. Controlled intersections are those where a yield sign, stop sign or traffic light regulates at least one roadway.

In 2020, only 5% of all crashes on public streets occur at uncontrolled intersections, contrary to popular belief, uncontrolled intersections continue to pose the least significant risks for crashes.

Vehicle Crash Reports, 1980 – 2020

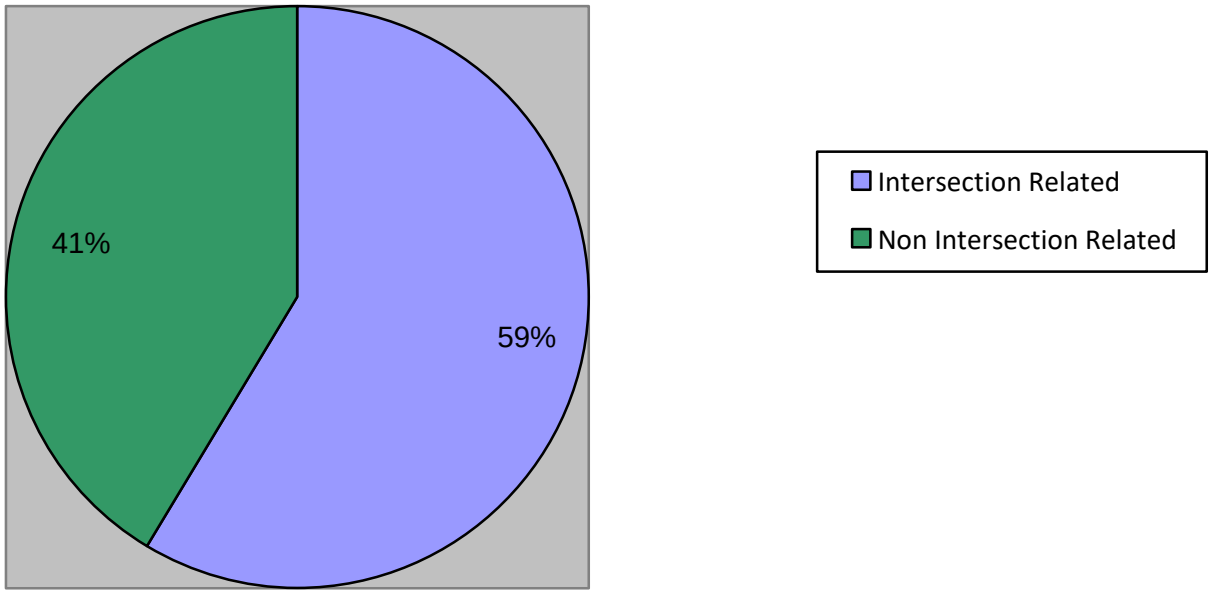


Total Crashes; Private Property vs. Public Road

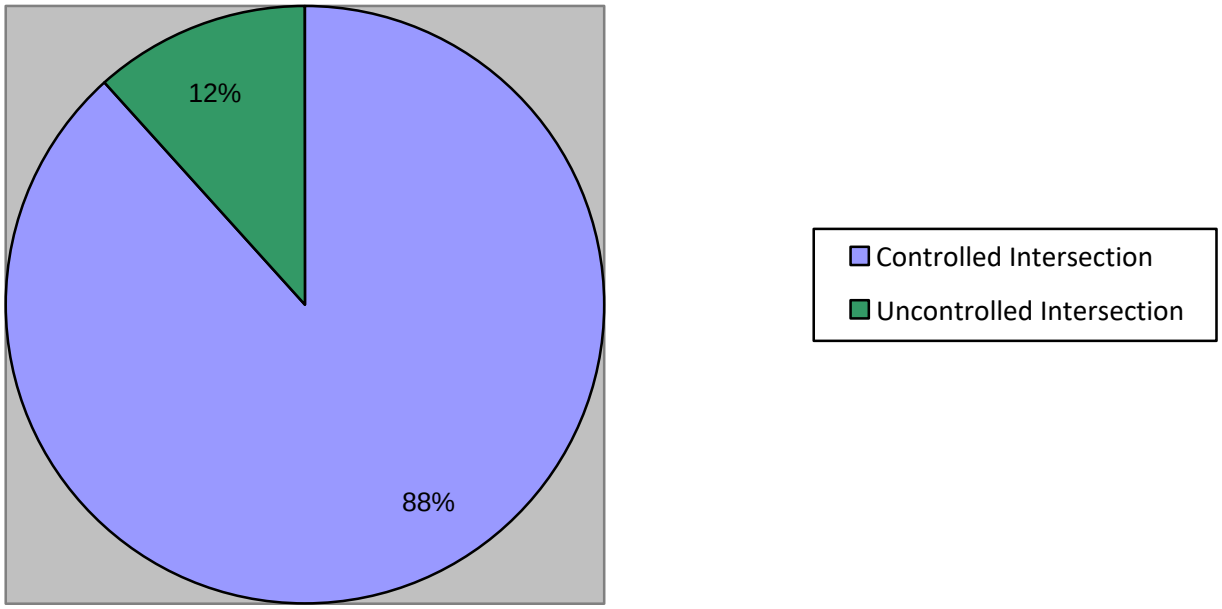


Intersection Crashes that Occurred on Public Roads

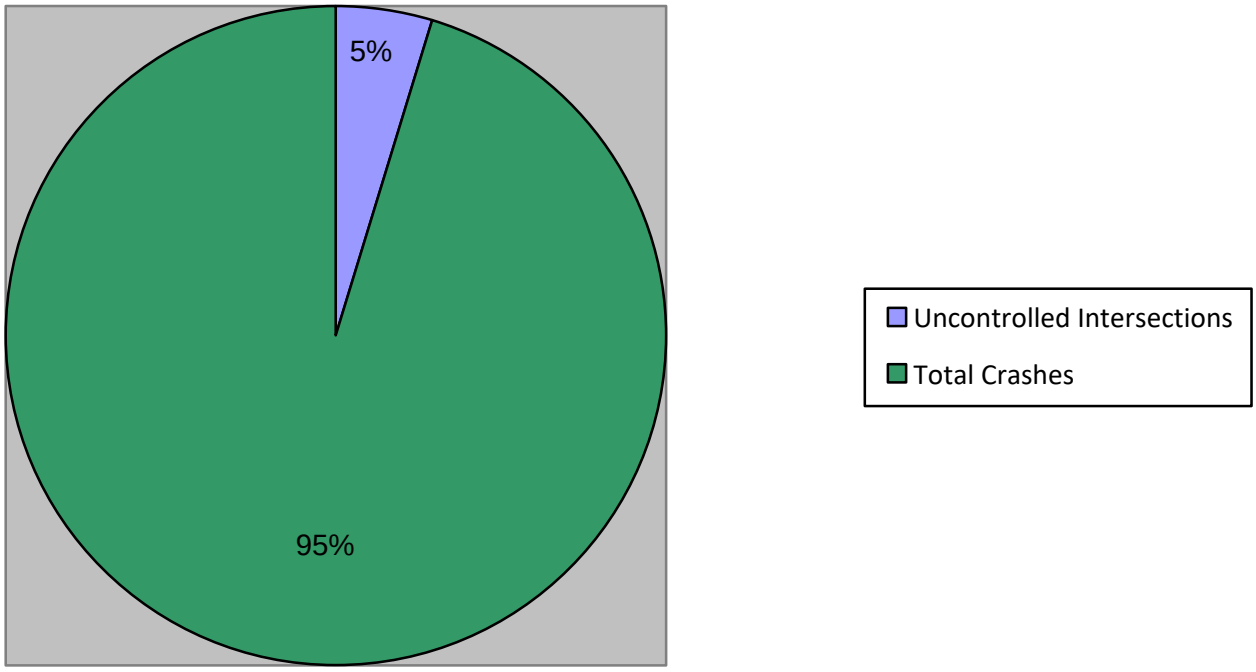
(Private Property Accidents Not Included)

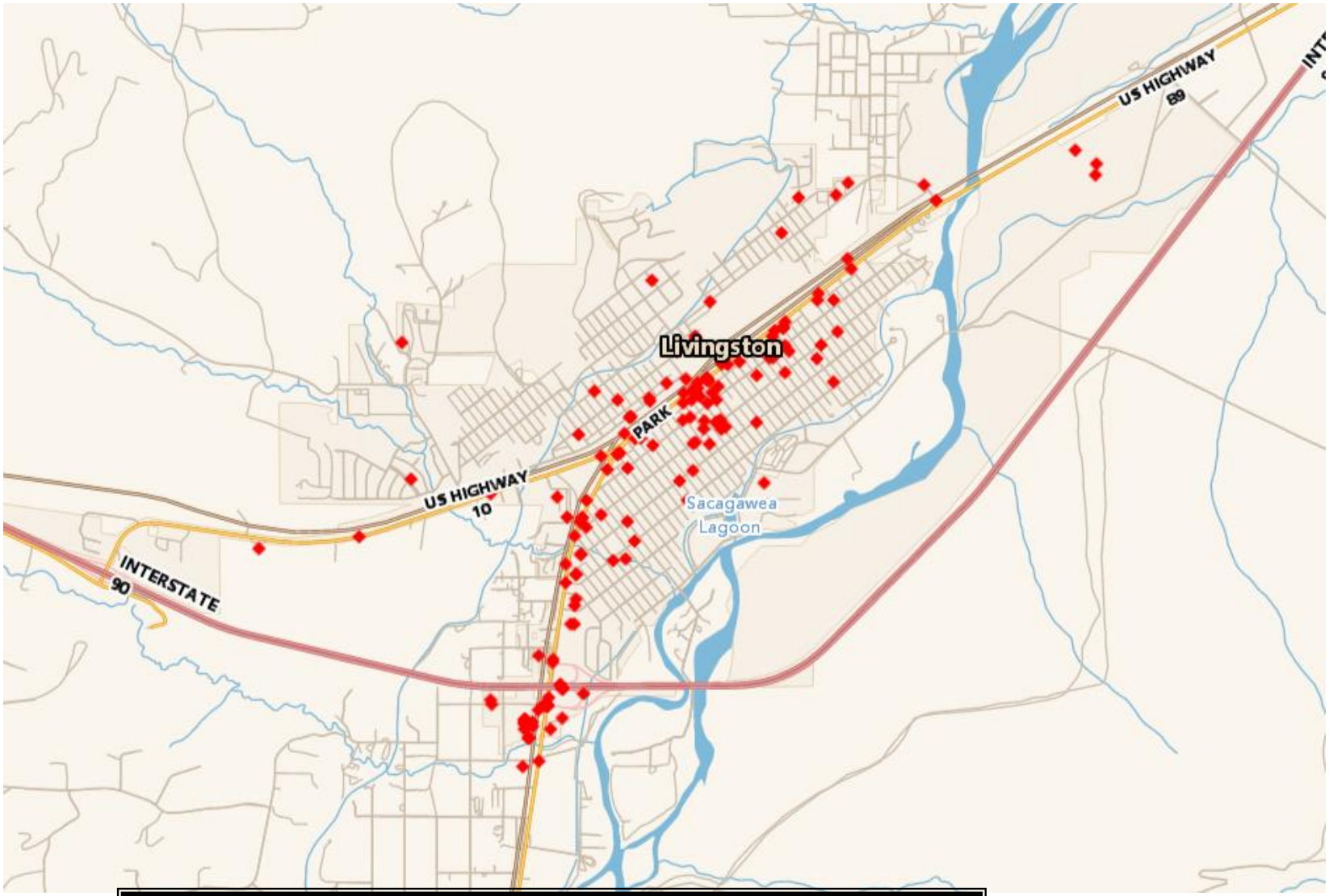


Intersection Related Crashes; Controlled vs Uncontrolled



Uncontrolled Intersection vs. Total Public Road Crashes


5%
95%
Uncontrolled Intersections
Total Crashes

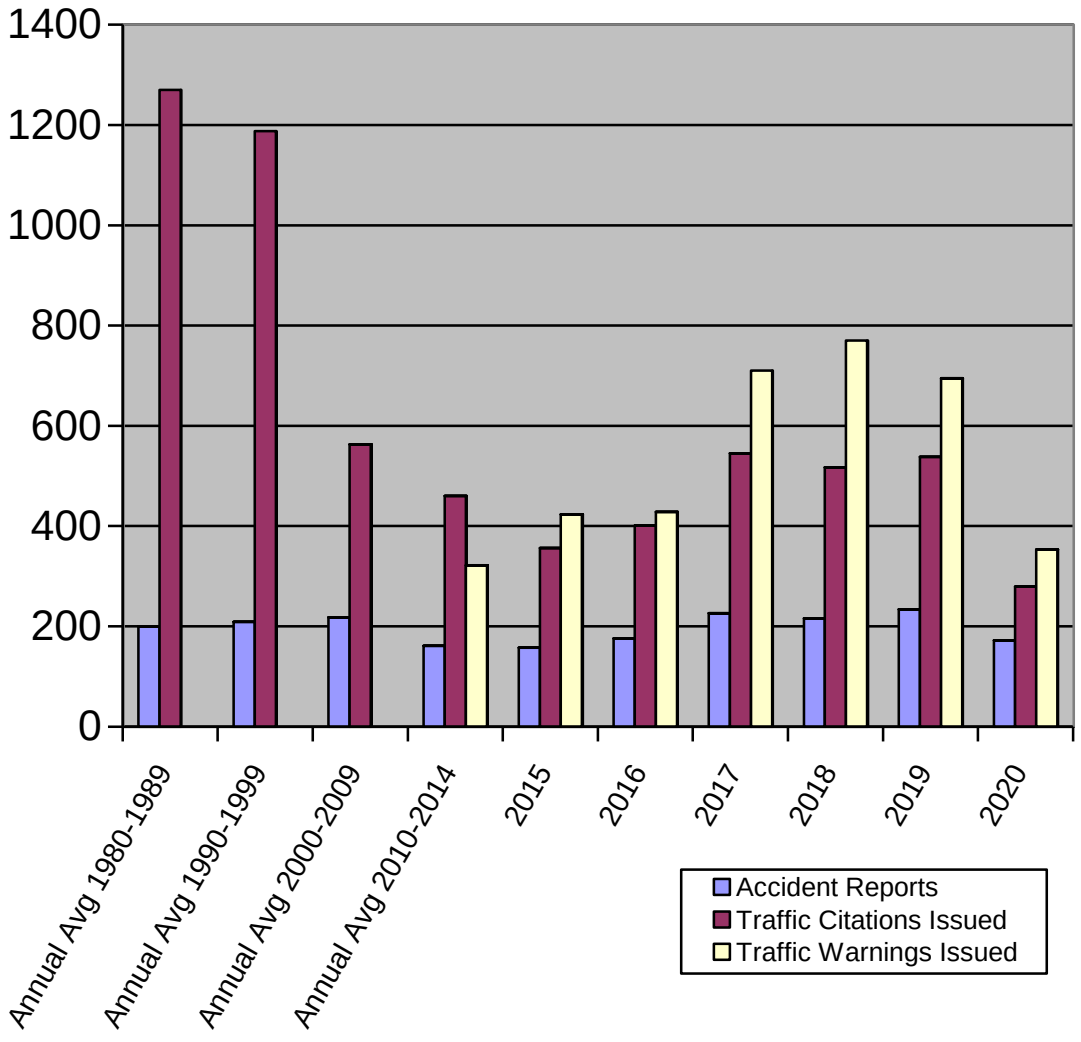


2020 vehicle crash by location

Although traffic enforcement is an important public safety tool and a means to address specific problems, based on historical accident data aggressive traffic enforcement or the number of citations and warning issued do not seem to correlate to lower accident rates. With the software system we began in using in the fall of 2013, we are now able to track traffic warnings issued as well as traffic citations.

With the COVID pandemic, offices were instructed to minimize contact with members of the community as much as possible, this included proactive traffic enforcement. Officers still conducted traffic enforcement, but they only made contact with drivers for the most egregious violations

Vehicle Accident / Traffic Citation Ratio, 1980 – 2020



RACIAL PROFILING AND TRAFFIC STOP DATA

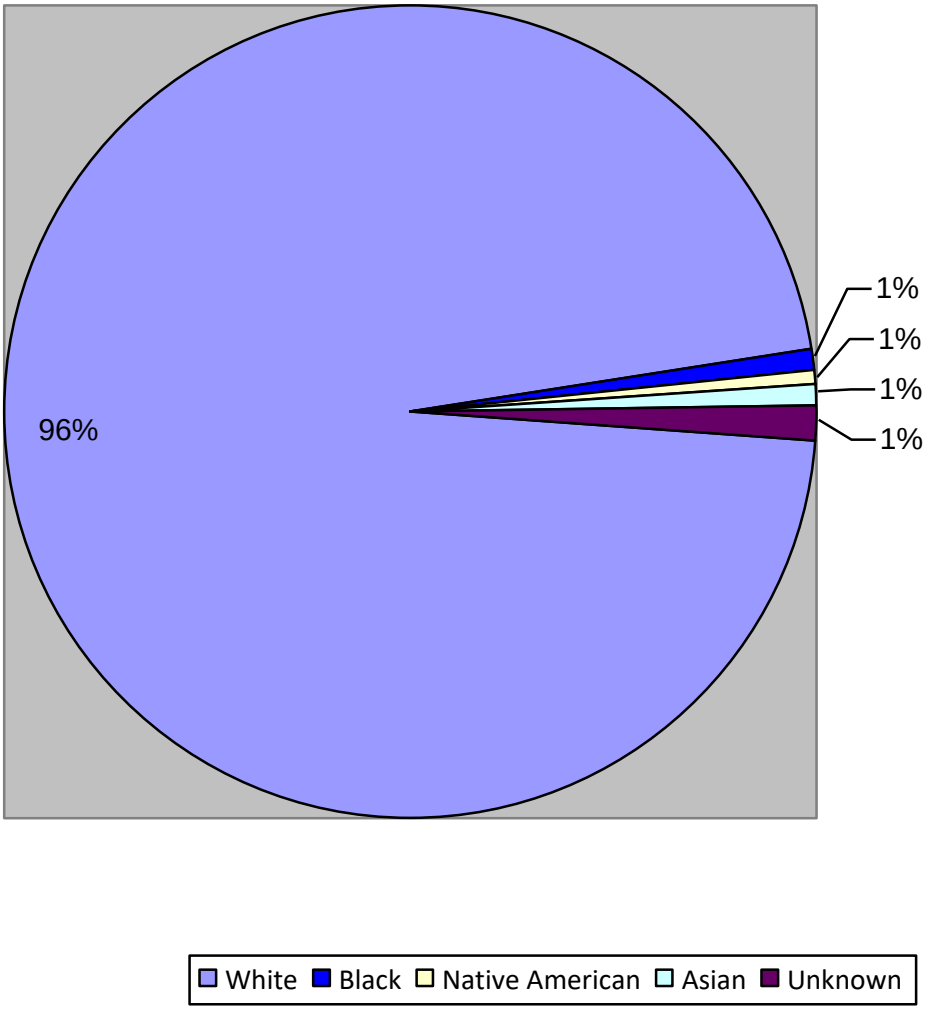
Pursuant to the requirements of 44-2-117 MCA, department policy requires the collection of data for each traffic stop that determines whether any officer has a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within our jurisdiction.

Officers are required to document the race or ethnicity of the driver and record the information into our records management system to be used to compile racial profiling data. The determination is based on their perception of the person's race. The diagrams below show the number of drivers, by race, ethnicity, sex and age that were stopped in 2020.

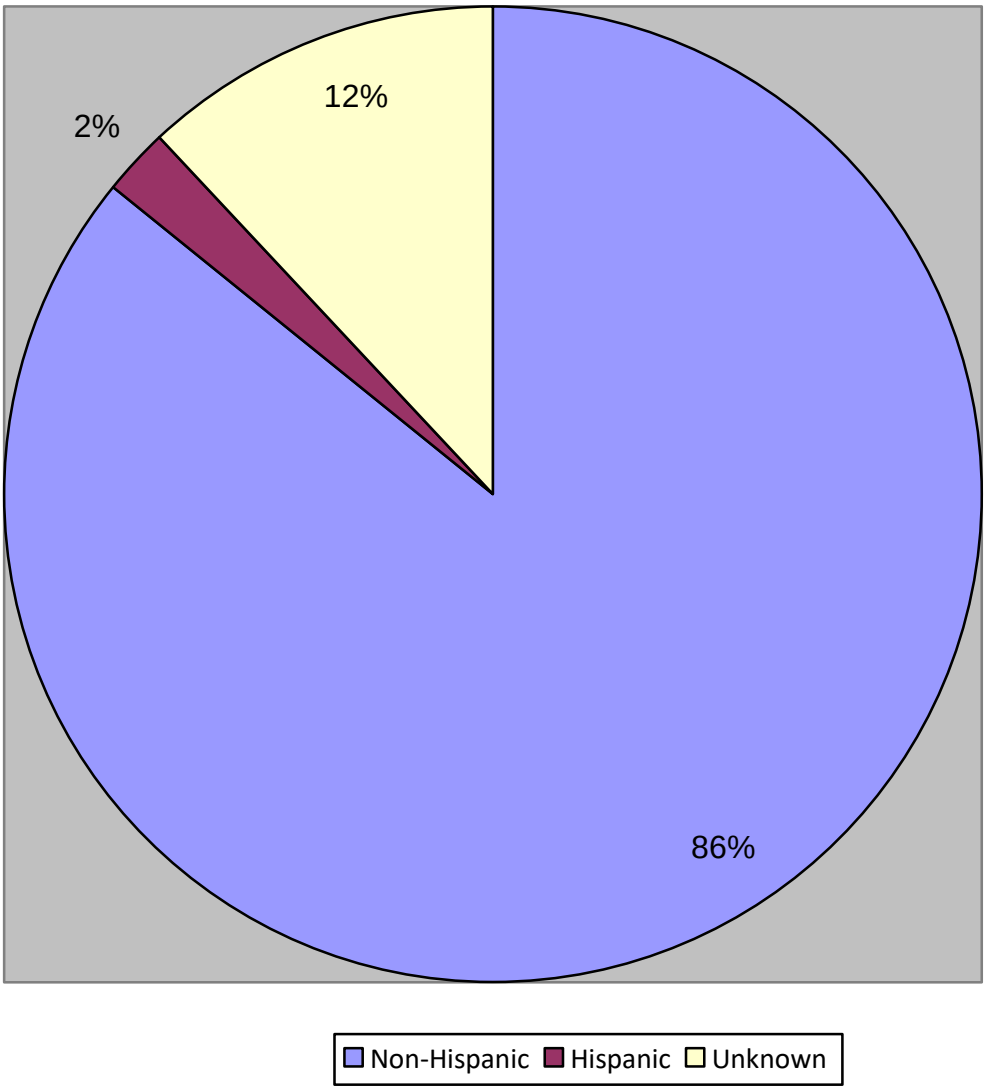
Consistent with the requirements of law, department policy provides for an annual review of this data. If the review reveals a pattern of any officer(s) of the Livingston Police Department stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within our jurisdiction, an investigation must be conducted to determine whether the officer(s) routinely stop members of said minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law. The required review is incorporated into the Livingston Police Department Annual Report of Statistics, and this shall be considered the required review.

Upon review of departmental statistics, and having received no complaints alleging racial profiling from any person in 2020, there is no reason to conclude that officer(s) routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of traffic or criminal law.

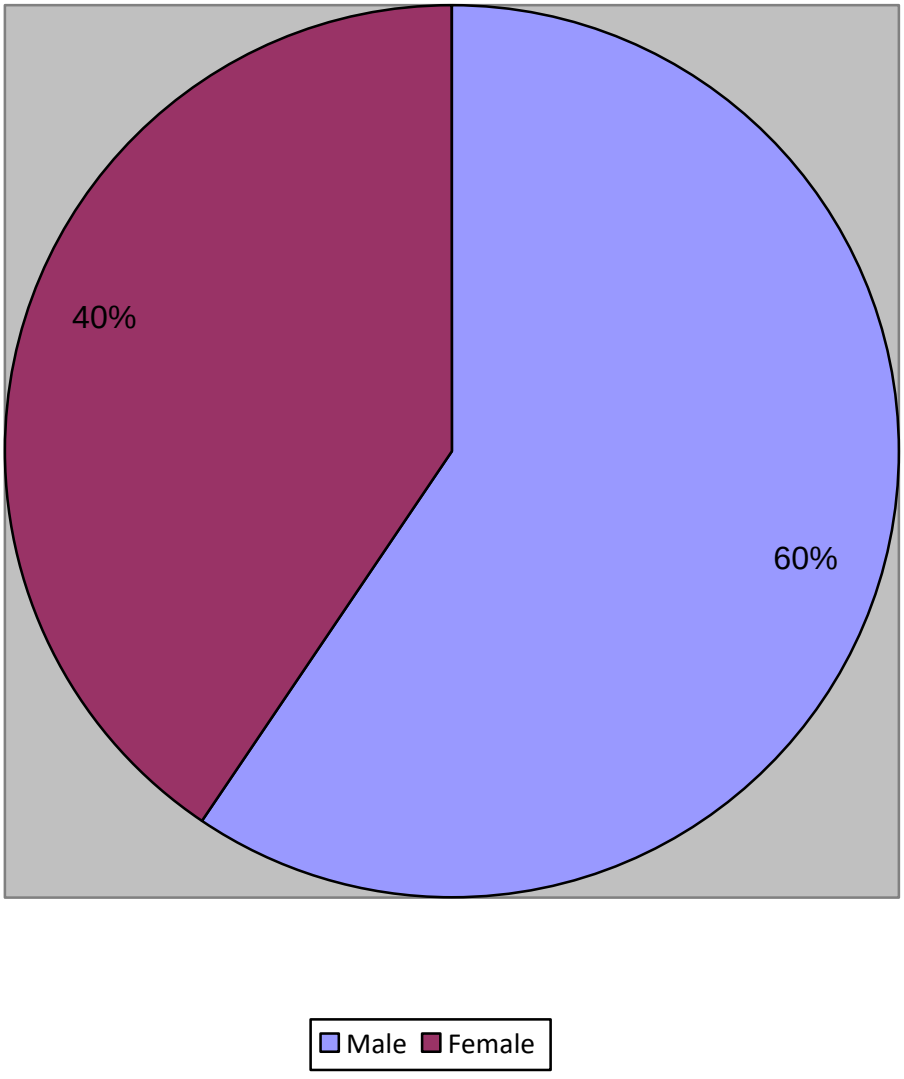
2020
Traffic Stops by Race



2020
Traffic Stops by Ethnicity



2020
Traffic Stops by Sex



2020
Traffic Stops by Age