

# 2023 Annual Report



LIVINGSTON  
Montana

# LIVINGSTON POLICE DEPARTMENT ANNUAL REPORT

**YEAR 2023**

Prepared by: Wayne Hard, 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.*

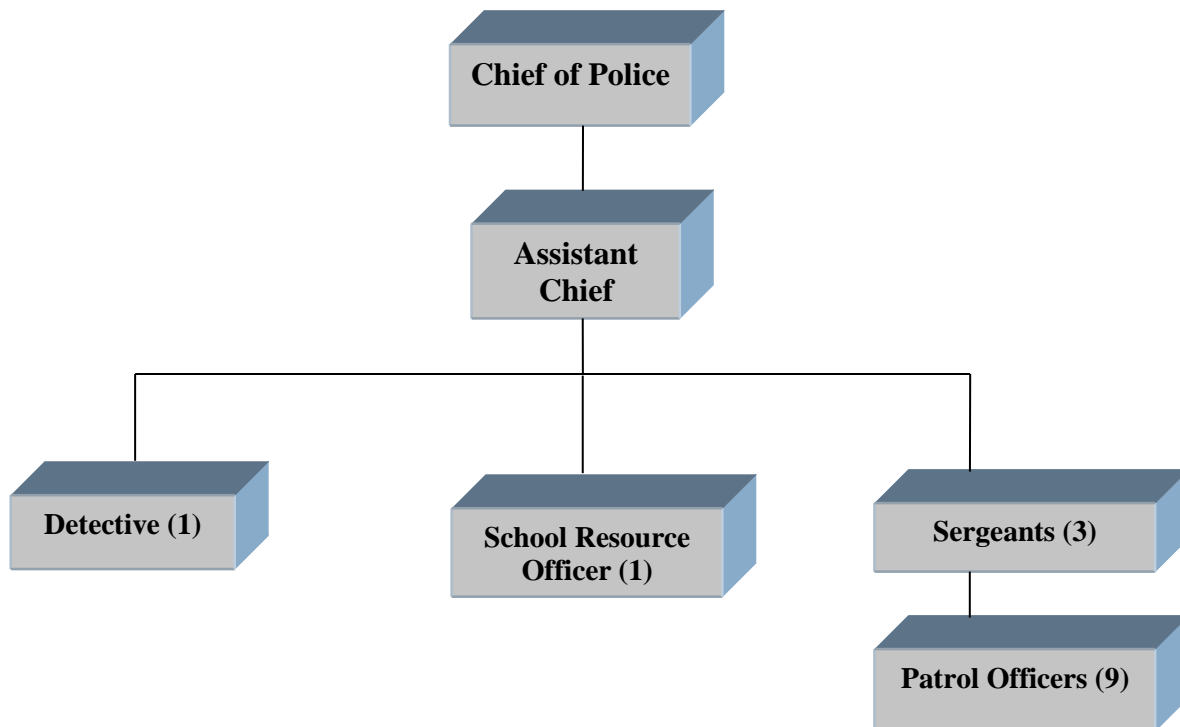
# PERSONNEL

## DEPARTMENT STAFFING

### Police Department

The police department's budgeted staffing is 16 full-time sworn officers. The structure consists of the Chief, Assistant Chief, three (3) Sergeants, nine (9) Patrol Officers, one (1) full time Detective, and one (1) School Resource Officer (SRO).

2023 Budgeted Positions	2023 Staffed Positions
Chief of Police	1
Assistant Chief	1
Sergeant	3
Detective	1
Patrol Officer	6
School Resource Officer	1

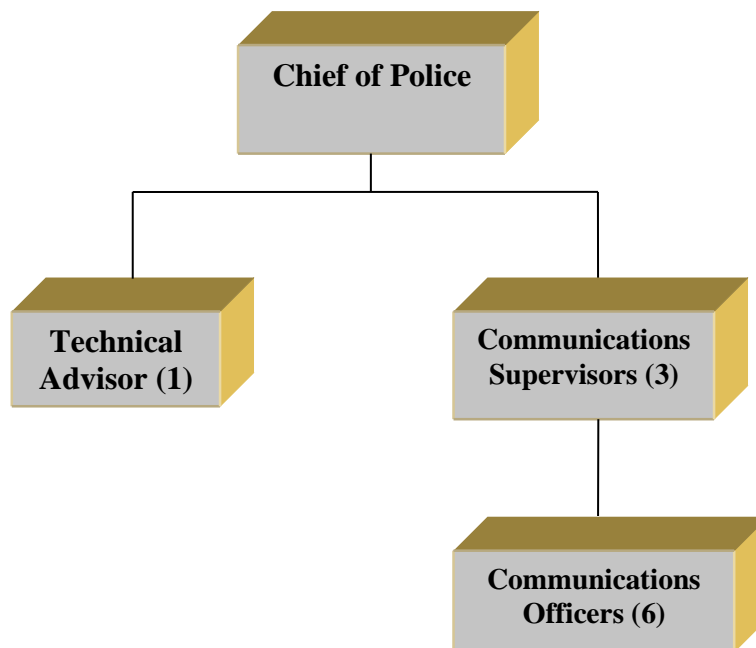


## Communications Center

Historically, the Livingston - 911/ Communications Center was under the supervision of the Livingston Police Department since its creation. For a short while, the Communication Center was its own autonomous entity under the direct supervision of the City Manager. In 2018, after a citywide restructuring, the Communication Center 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 Communication Center is budgeted for ten (10) positions, which include the Technical Advisor who also works the dispatch console part time, three (3) supervisors and six (6) communications officers.

The 911/ Communications Center is the primary dispatching center for the entire county. Agencies include 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. Additionally the Center assists with the Montana Highway Patrol and Montana Department of Transportation.

2023 Budgeted Positions	2023 Staffed Positions
Technical Advisor	1
Communication Supervisor	2
Communications Officer	4



# POLICE ACTIVITY

## PATROL DEPARTMENT HISTORY

Patrol Officers respond to the vast majority of calls for service we receive. There are times staffing shortages can be expected due to vacation, sick leave, injury, and training. Although available when needed, the Chief, Assistant Chief, Detective 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 14<sup>th</sup> 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 in the 2000's. Over the past several years, the workload of officers continues to grow reaching record numbers every year.

In 2018, the City underwent personnel restructuring and moved Code Enforcement from the public works department to the police department and making the position a sworn officer position. Thus, increasing the total number of sworn officers to 15. With call volumes continuing to increase, in 2021, the City added one additional sworn officer position to the police department increasing the number of sworn officers to 16. The same year, they moved the Animal Control Officer (ACO) under the supervision of the police department as well. The City restructured again in 2023, moving the Code Enforcement and ACO positions to the administrative division. The department retained the sworn position, and the department remains at 16 sworn positions.

Each call for service can be time consuming, some more so than others, including response time and follow-up work that may need to be completed. 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.

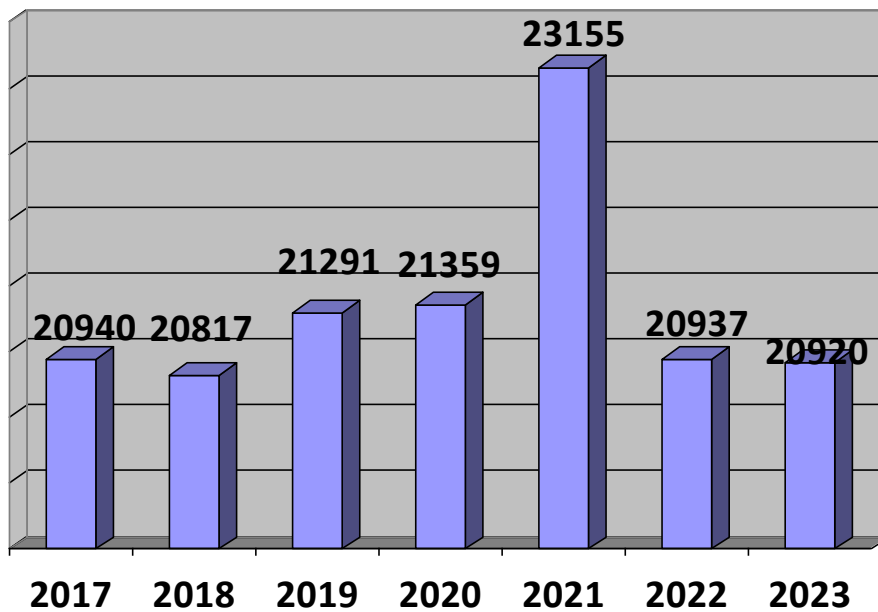
Regardless of the number of calls for service officers must respond to, it is important to recognize that most of the time there are only two (2) patrol officers on duty and often only one (1) officer is on duty. While most calls we receive are non-threatening in nature, on-duty officers are expected to immediately respond to whatever situation occurs. At times officers have to deal 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/ Communications Center

In 2023, the 911/ Communications Center handled 20,920 calls for service for 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.

Annual Calls for Service - Dispatch

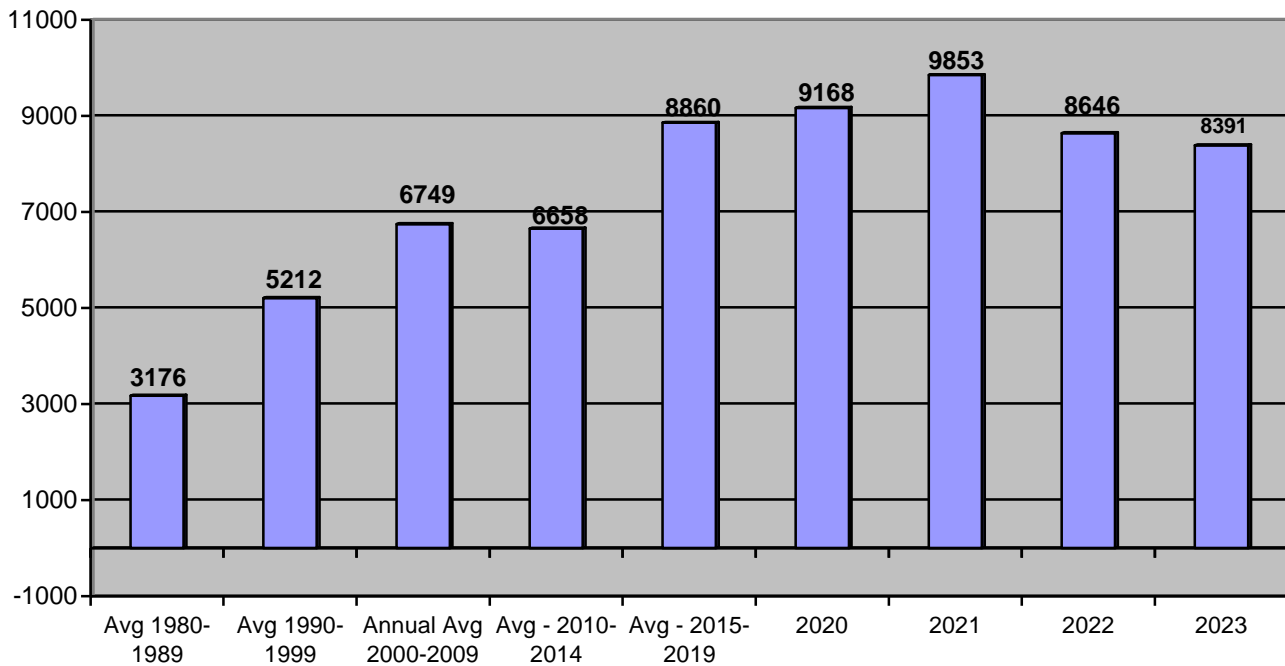




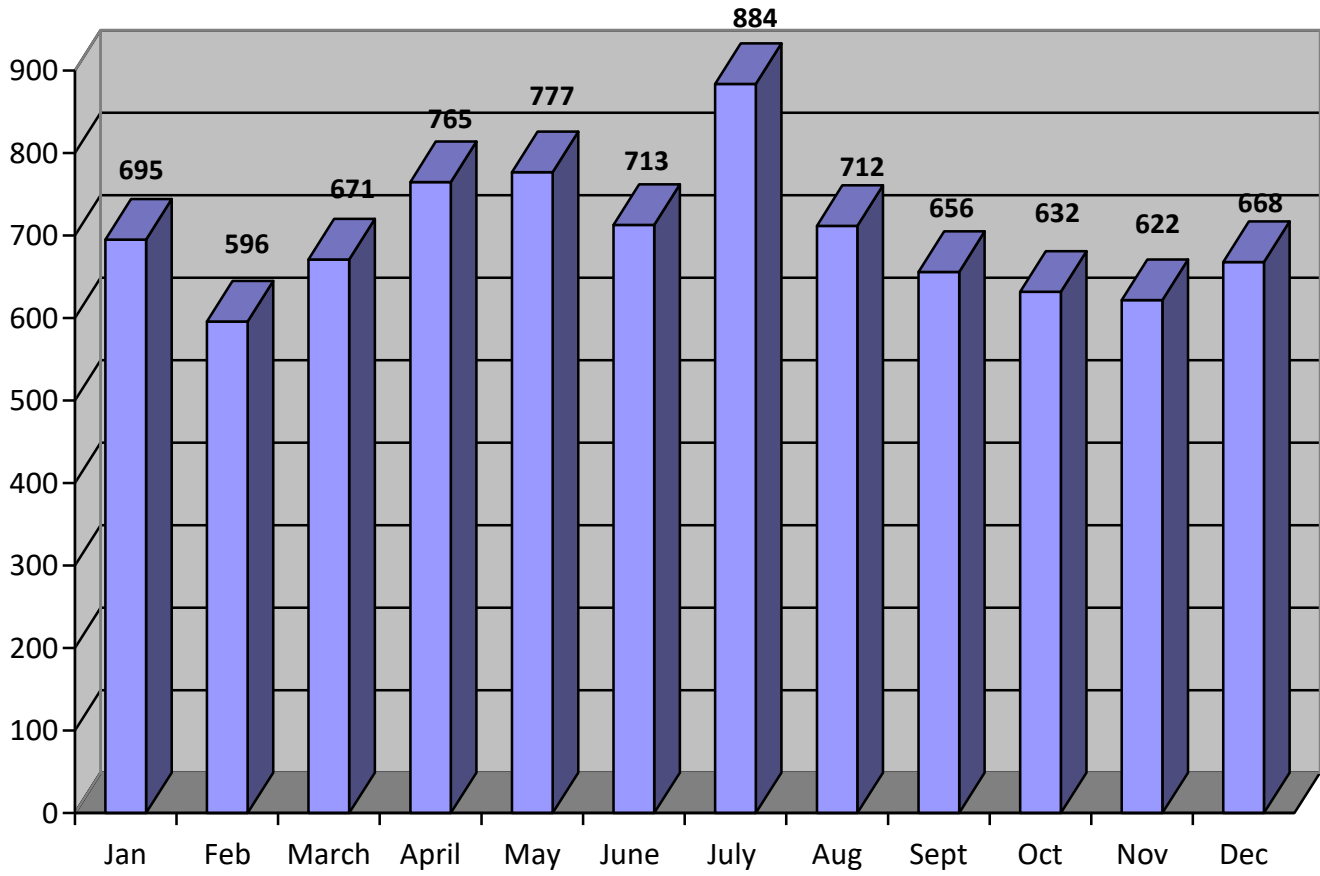
## Police Department

The police department received 8,391 calls for service in 2023. 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, and detective, the average number of calls per officer was 699 calls per each patrol officer in 2023 if fully staffed. The number of calls per officer is actually closer to 750 calls per officer due to staffing shortages throughout 2023.

### Annual Calls for Service - Police



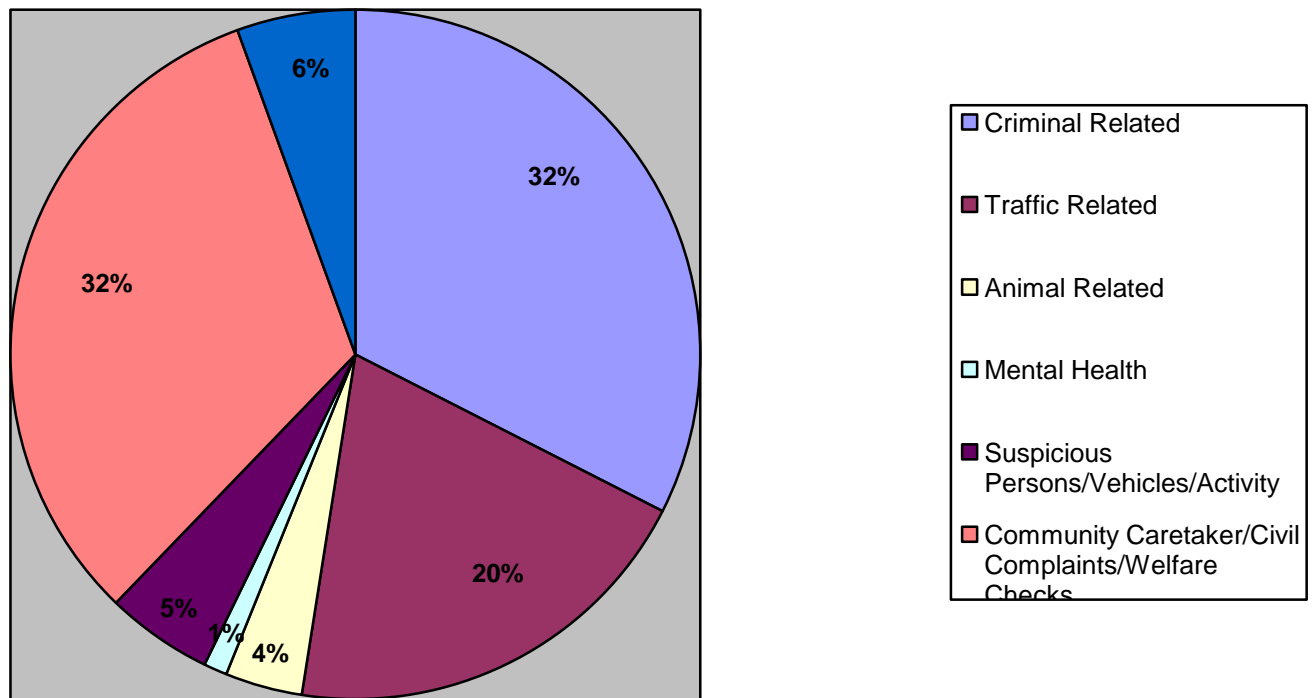
## Calls for Service by Month - Police



## TYPES OF CALLS RECEIVED

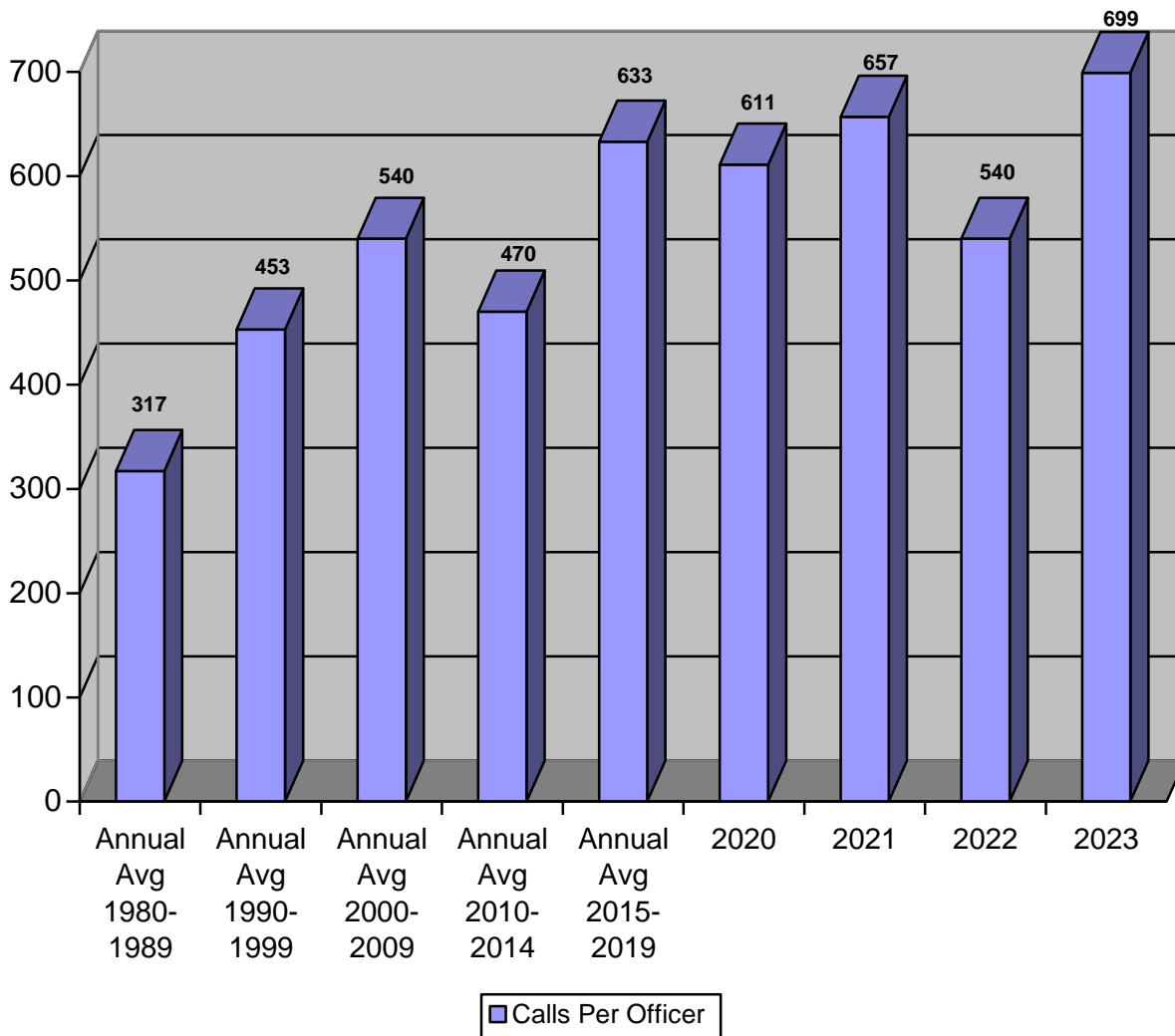
Officers respond to a wide variety of calls, many of which may be unrelated to crime or law enforcement activities but are time consuming for the officers. Consistent with previous years, a large portion of calls received is of a non-criminal nature, but require an officer's time nonetheless.

### Calls for Service - by Type



## Annual Number of Calls per Officer, 1980 – 2023

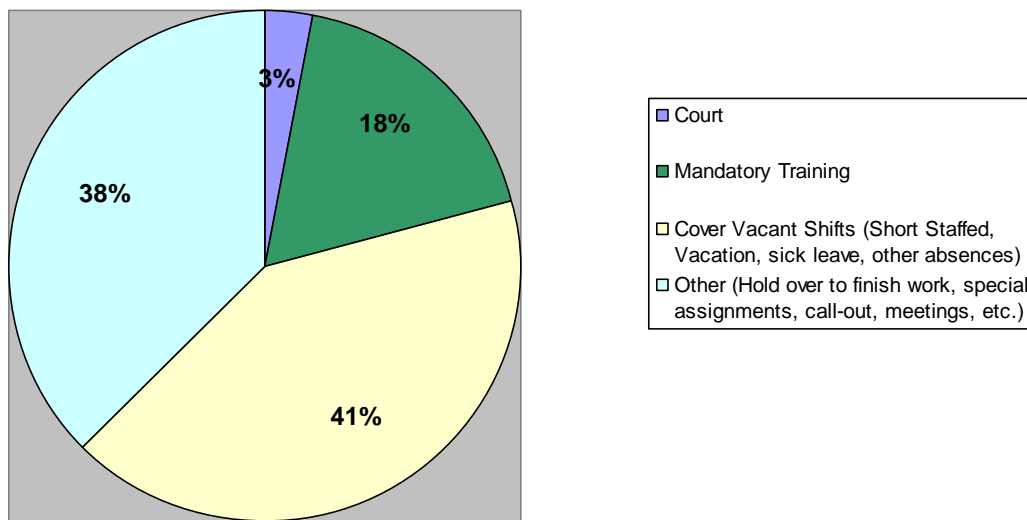
As mentioned previously, the chief, assistant chief, detective and SRO typically do not respond to calls on a regular basis, so the numbers each patrol officer responded to are significantly higher than shown. This graph assumes being fully staffed for the entire year. To adjust the numbers to account for the chief, assistant chief, the SRO, and the detective not taking calls, the number is 699.



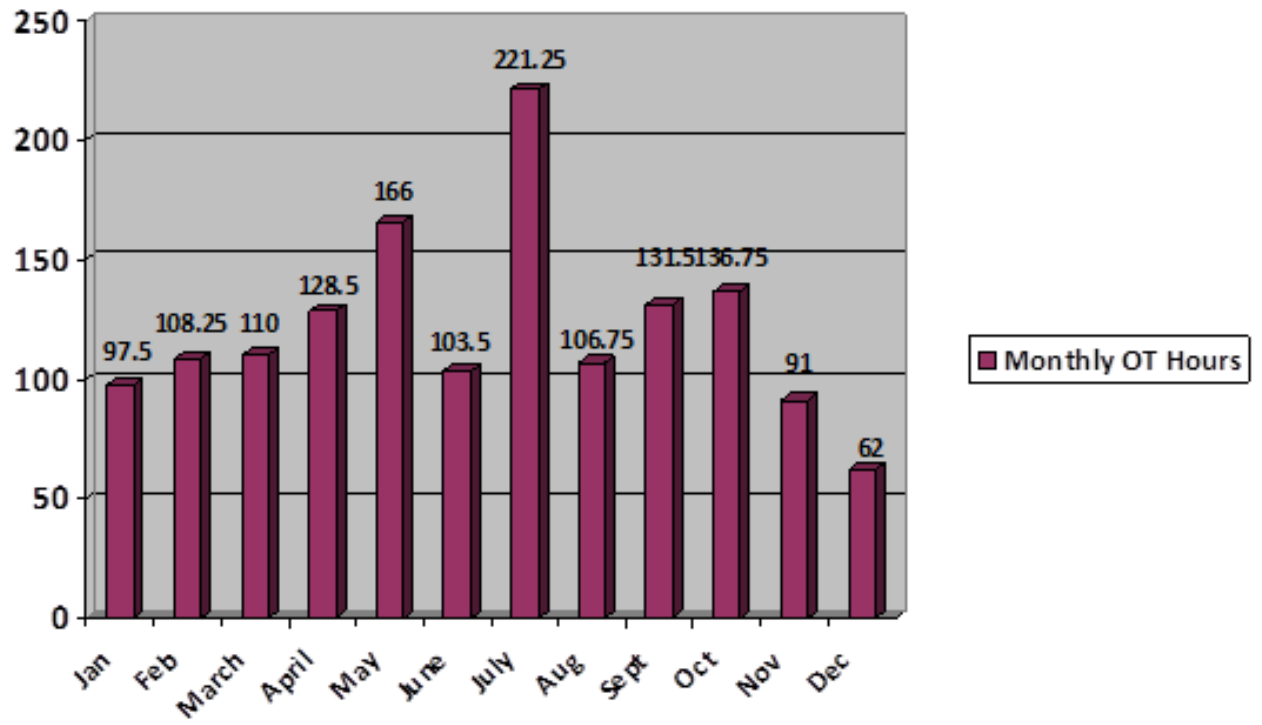
## 2023 Overtime Usage Distribution

There are four basic categories that we break overtime usage into: court, mandatory training, cover, and call out or hold over. As staffing issues have continued, each officer has seen an increase in the amount of overtime they have worked.

(Actual number of hours logged)



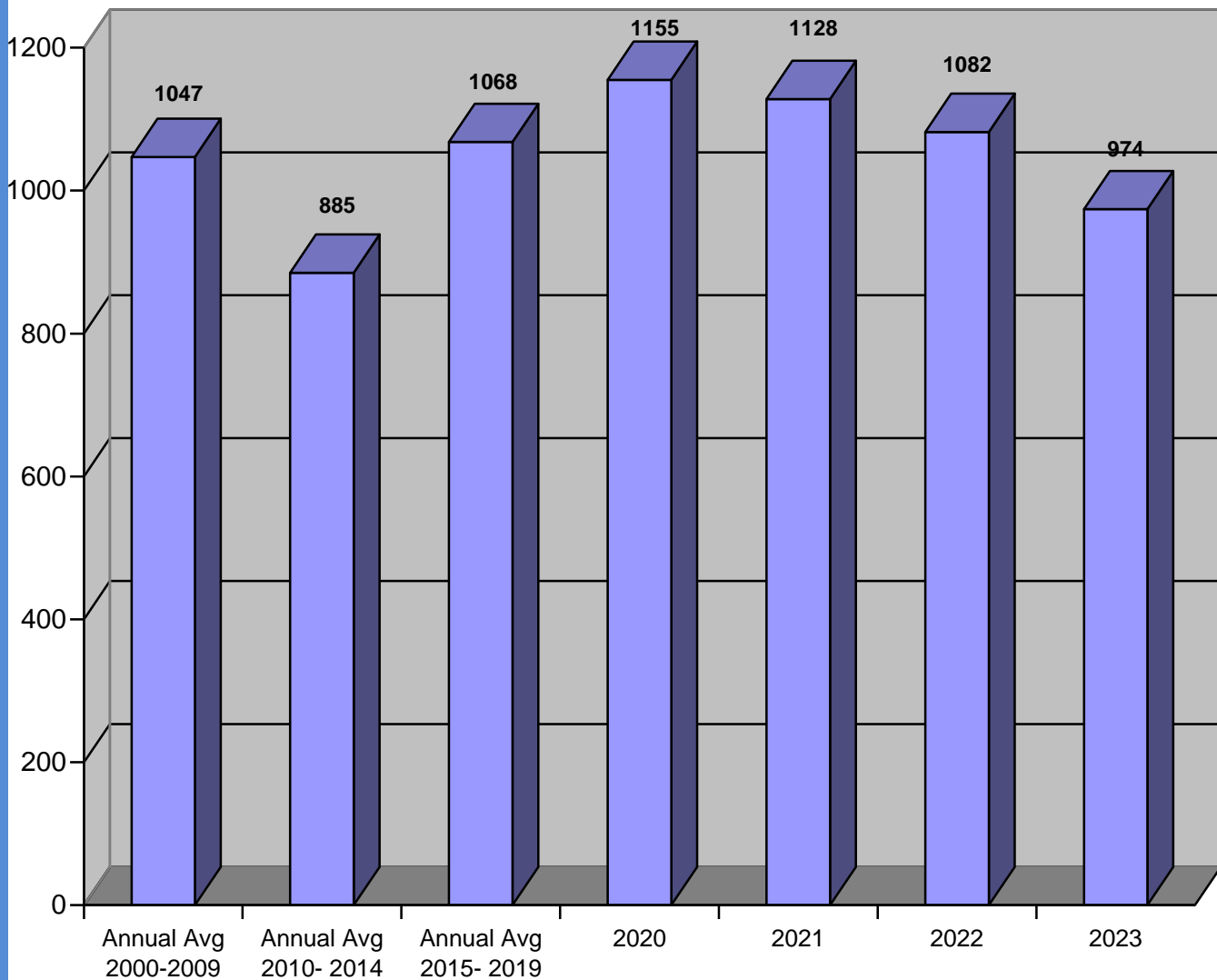
### Overtime hours per month



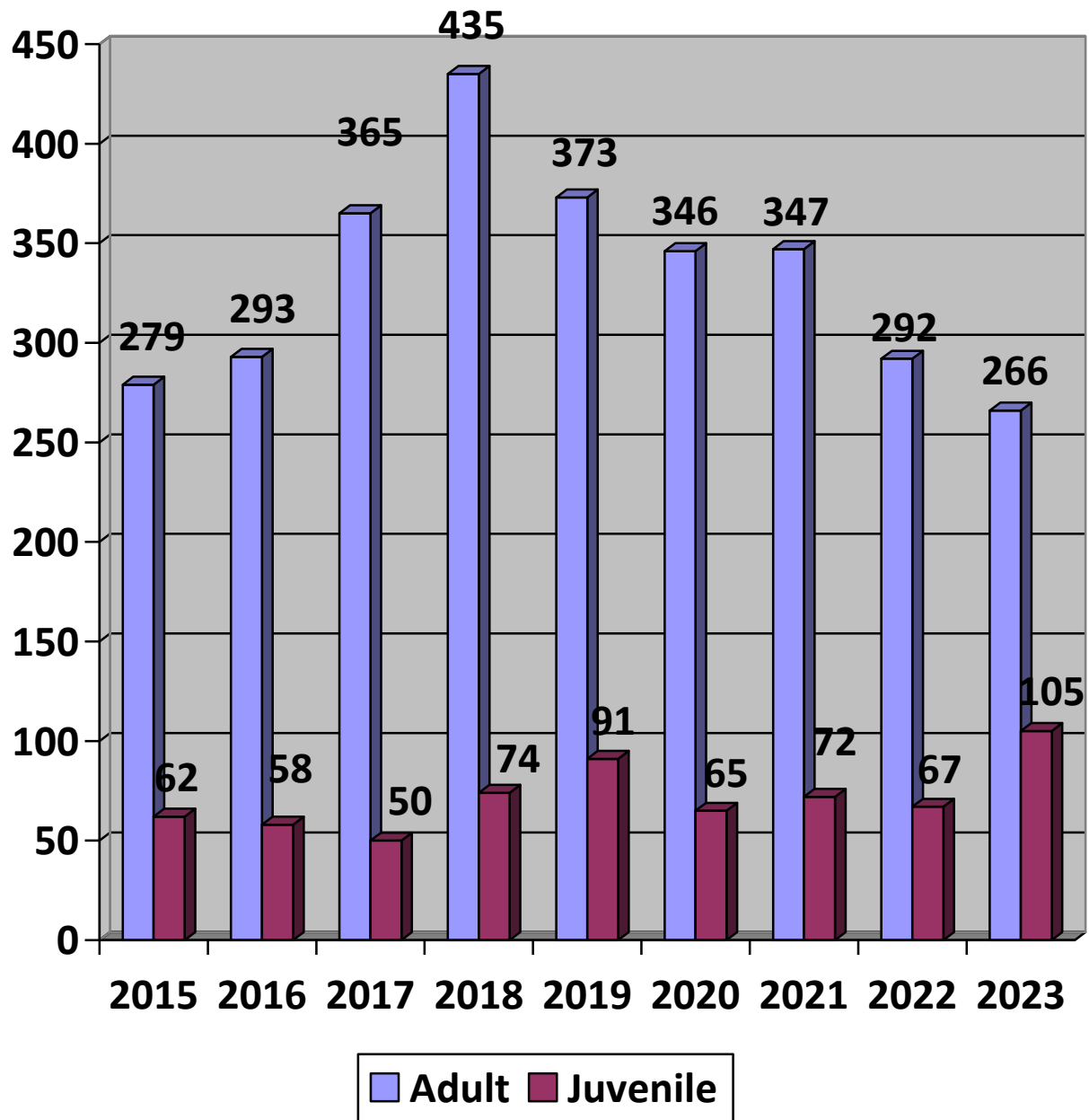
## INVESTIGATIONS

Officers generated 974 written Investigative reports. Investigative Reports are written when a call for service results in a criminal investigation, arrest or other police action requiring written investigative reports and follow-up activity.

### INVESTIGATION REPORTS, 2000 – 2023



## ARRESTS





# **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 an excellent tool for officers to interact with the public. Bicycle patrol is also 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.

## **CANINE UNIT**

The Livingston Police Department K-9 unit consists of two (2) specially trained and certified dog/handler teams. Each canine is certified by North American Police Work Dog Association (NAPWDA) in narcotics detection, article search, tracking, building search, area search, officer protection and aggression control. Rhino and Briggs participated in over 35 hours of specialized training in 2023.

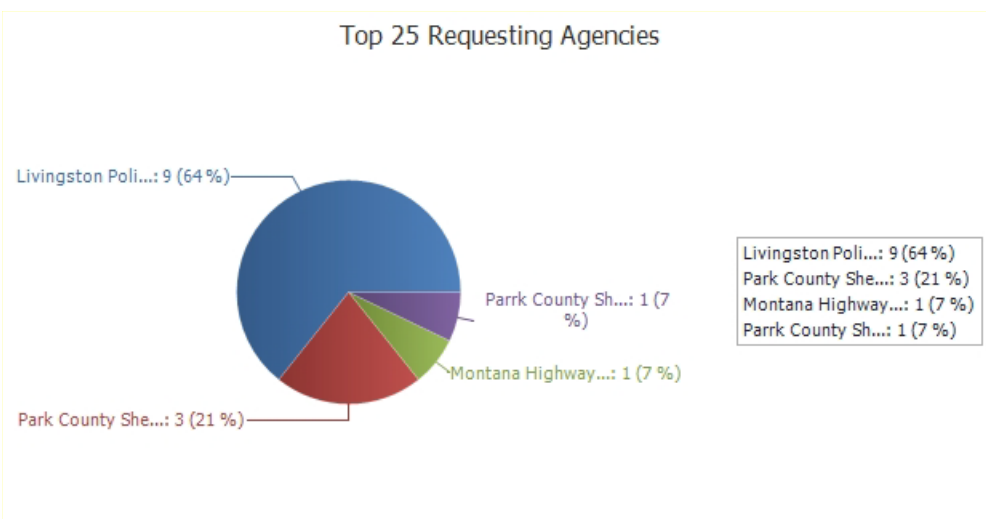
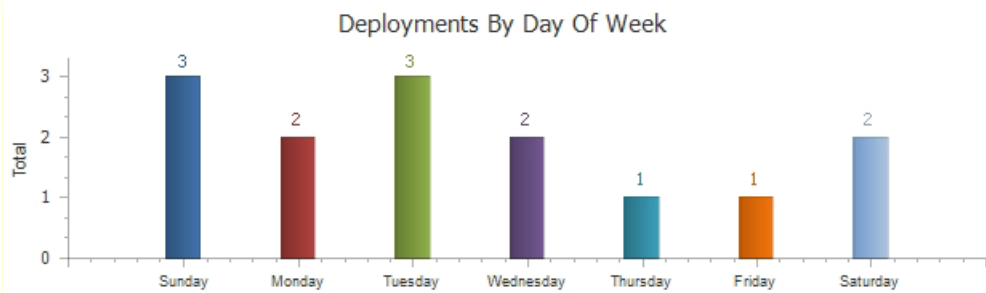
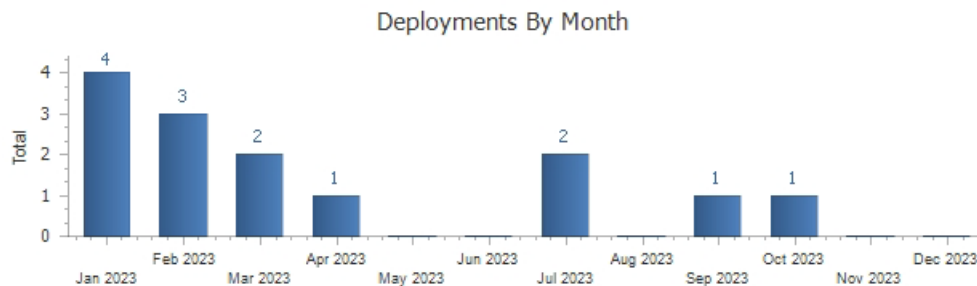
The canine teams assist other agencies upon request, including the Park County Sheriff's Office and the Montana Highway Patrol as well as state agencies such as the Montana Department of Corrections.

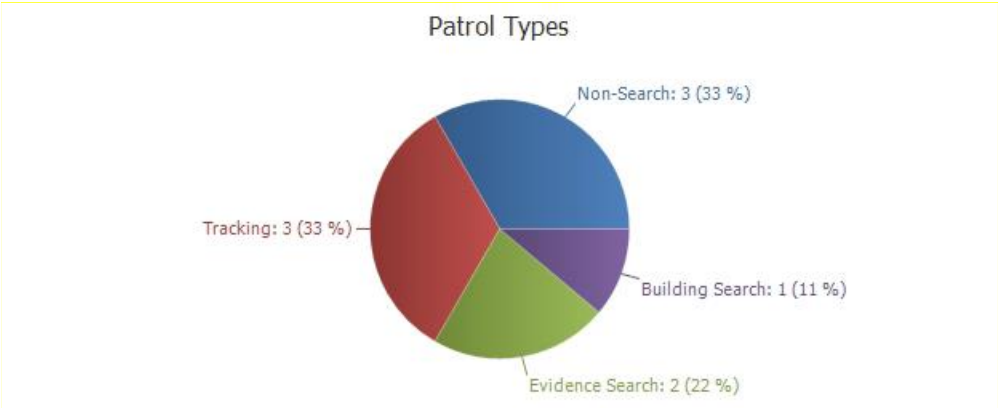
## CANINE DEPLOYMENTS

Our K9 teams were deployed for a variety of calls including article searches, narcotic detection, and apprehensions. The deployments for narcotics detection include detecting Cocaine, Methamphetamine and Fentanyl along with numerous paraphernalia items.

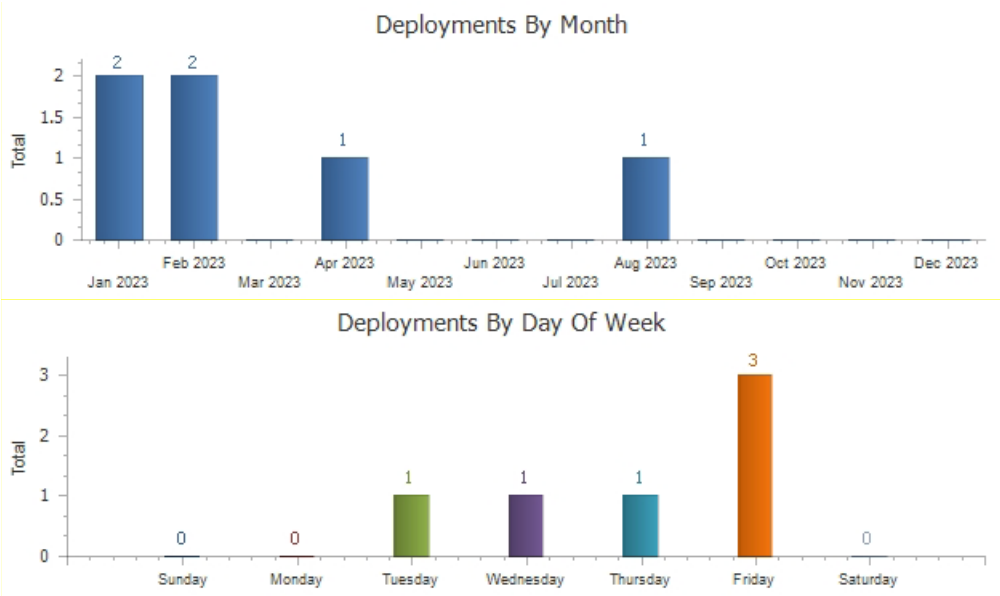
### LPD Canine Deployments by team

Sergeant O'Neill and K-9 Briggs

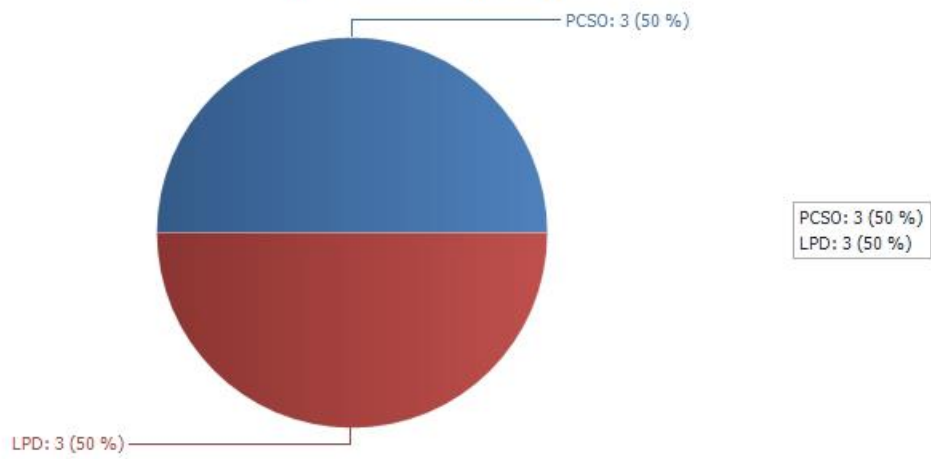




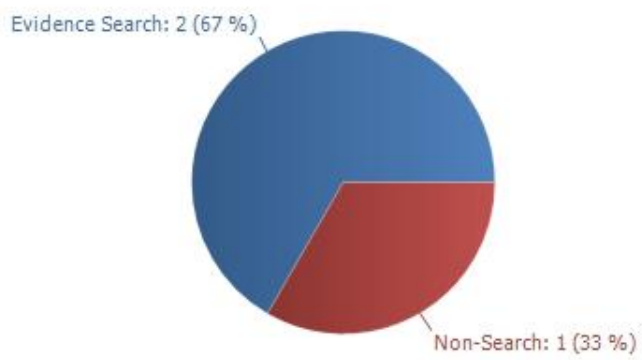
Sergeant Emanuel and K-9 Rhino



Top 25 Requesting Agencies



Patrol Types



## 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 2023 | 15 |
| • Use of Force reports in 2022 | 7  |
| • Use of force reports in 2021 | 16 |
| • Use of force reports in 2020 | 16 |
| • Use of force reports in 2019 | 26 |
| • Use of force reports in 2018 | 20 |

**Taser Deployments:**

• Taser deployments in 2023	1
• Taser deployments in 2022	0
• Taser deployments in 2021	1
• Taser deployments in 2020	0
• Taser deployments in 2019	0
• Taser deployments in 2018	6
• Officers injured from Taser deployments in 2023	0
• Officers injured from Taser deployments in 2022	0
• Officers injured from Taser deployments in 2021	0
• Officers injured from Taser deployments in 2020	0
• Officers injured from Taser deployments in 2019	0
• Officers injured from Taser deployments in 2018	0
• Suspects injured from Taser deployments in 2023	0
• Suspects injured from Taser deployments in 2022	0
• Suspects injured from Taser deployments in 2021	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

**Reason for Use of Force – 2023 (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
7	1	1	1	2				

**Resulting Outcome**

Misdemeanor Arrest	Felony Arrest	Protective Hold (Mental)	Suspect Escaped	Other
9	2	1		

**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
3		4	4	1

**Level of Resistance Towards Officer (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
1	3	4	5	3	2		

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

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	Firearm Fired at Individual
1		1	2	6				

## 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, demotion, suspension from duty, termination, criminal prosecution, or other action.

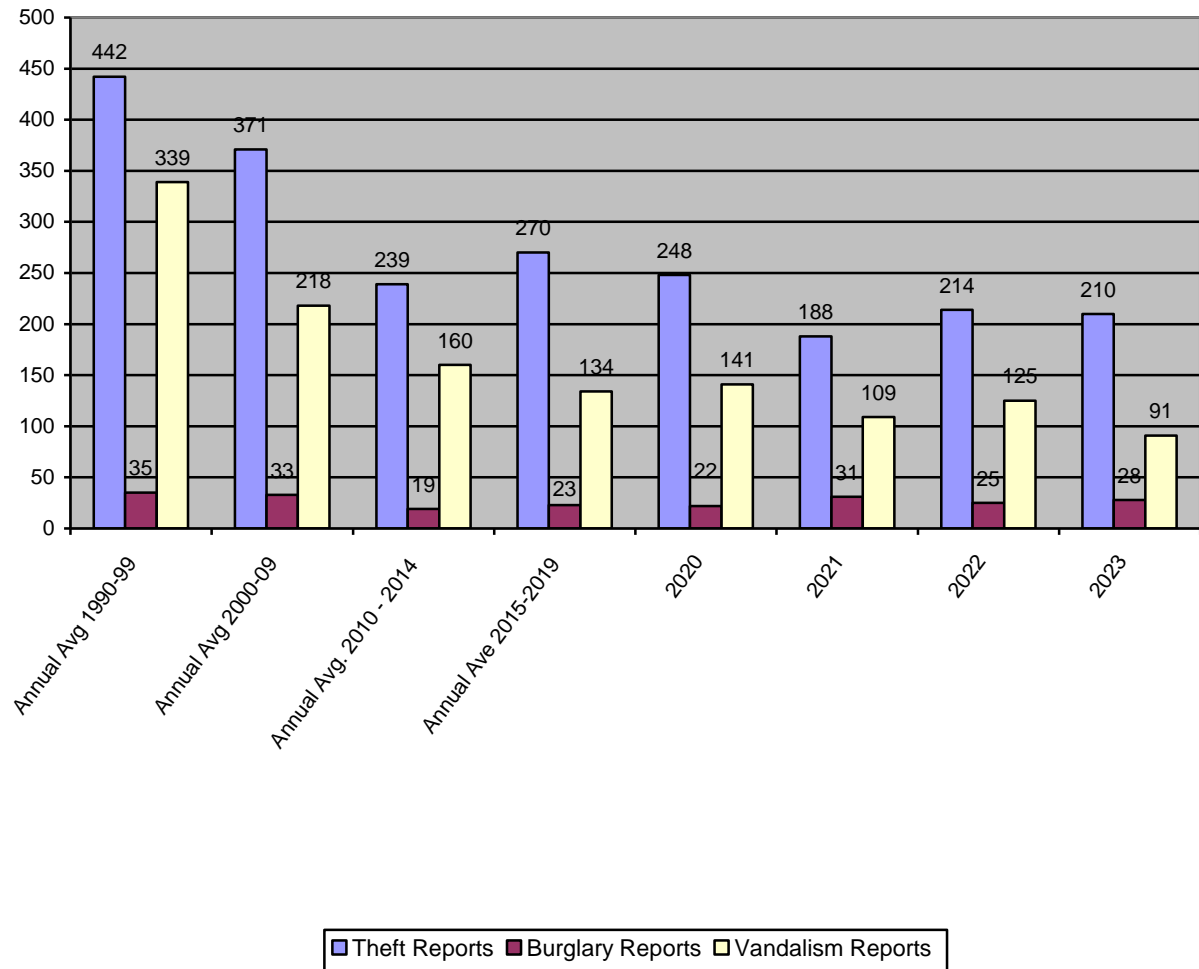


## 2023 PERSONNEL COMPLAINTS

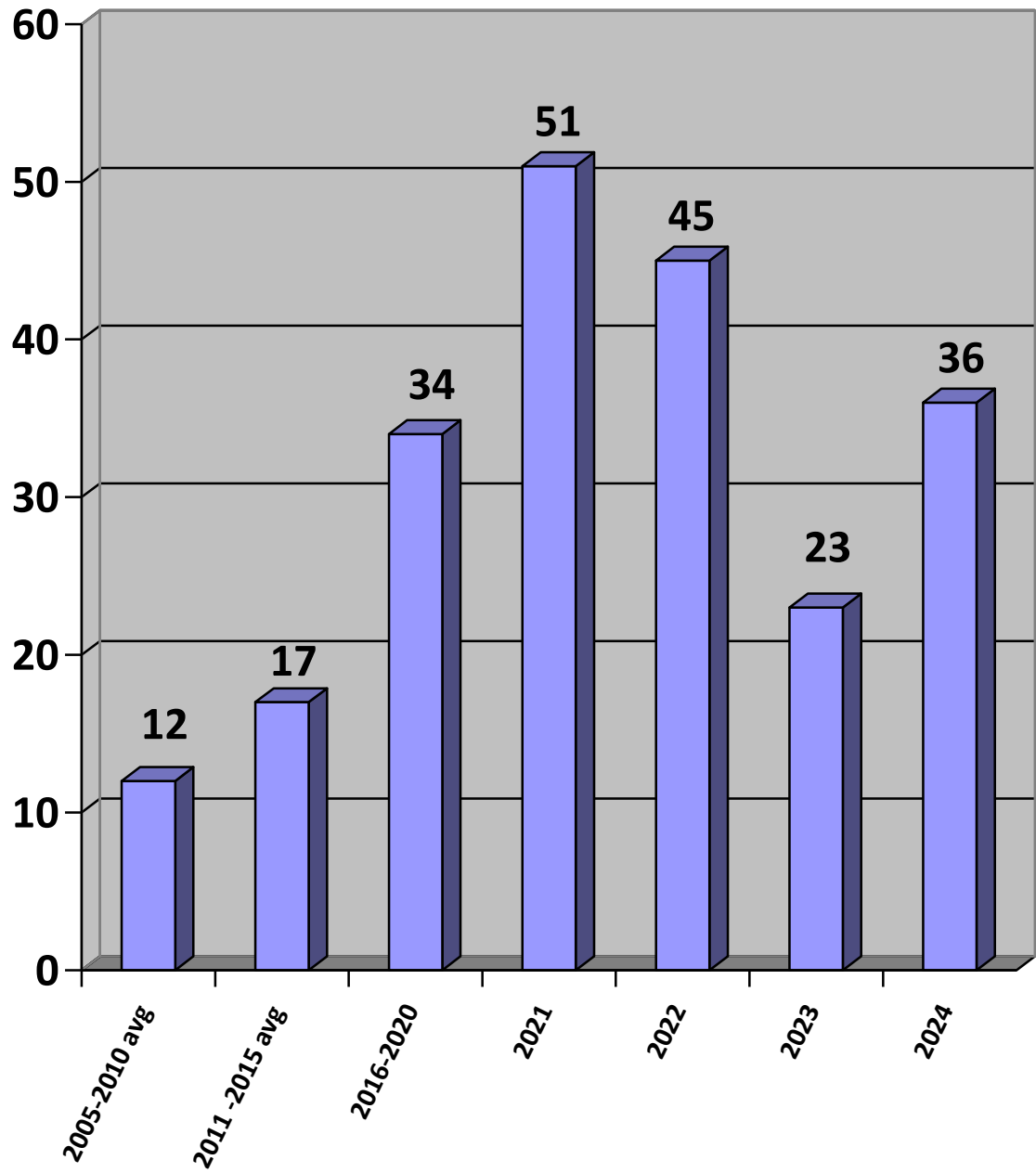
Complaint Type	Source	Findings	Resolution
Officer Conduct	Citizen	Unfounded – complainant failed to respond	
Unsatisfactory Performance	Internally at the request of a partner agency	Unfounded	
Officer Conduct	Citizen	Unfounded	

# PROPERTY CRIMES REPORTED

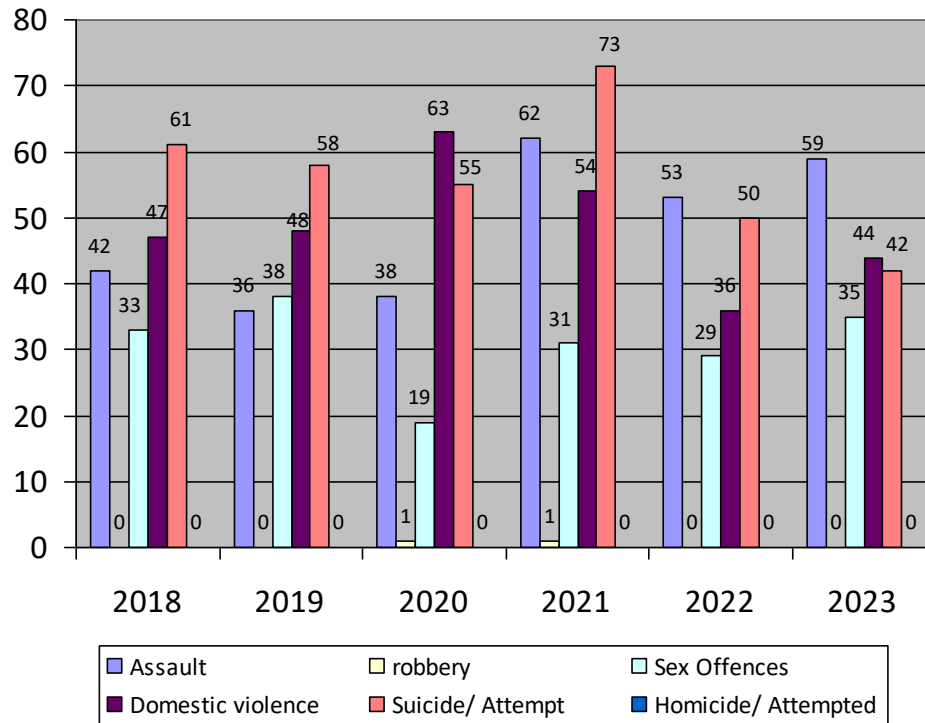
## Property Crimes Reported, 1990 – 2023



## Stolen Vehicles



# 



We received 340 complaints of some type of a Disturbance in 2023, a slight increase from 2022. While these calls can range from loud music to verbal domestic arguments, the vast majority of them are due to disorderly individuals.

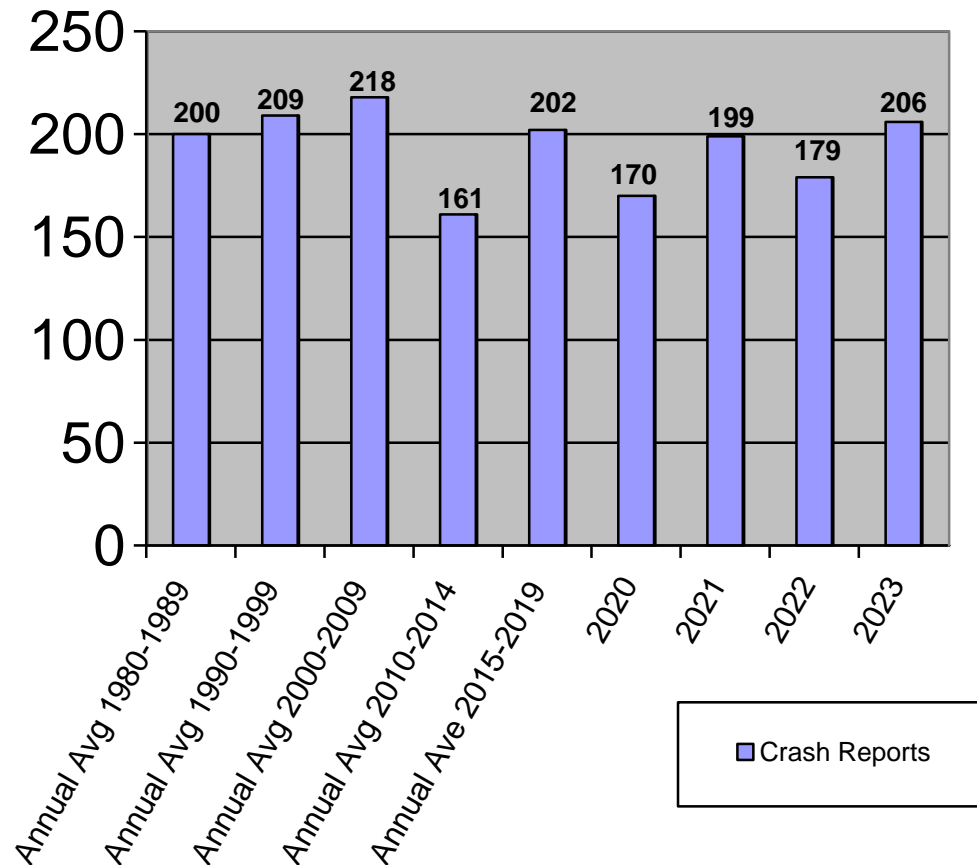
# VEHICLE CRASHES

Officers completed 206 vehicle crash reports in 2023

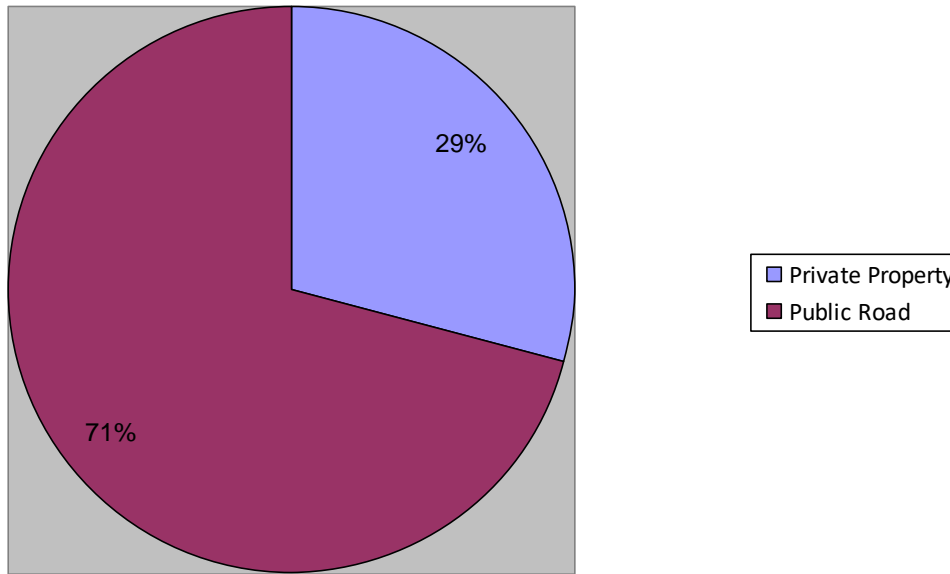
73% of intersection related crashes occurred at controlled intersections. Controlled intersections are those where a yield sign, stop sign or traffic light regulates at least one roadway.

In 2023, only 6% of all crashes on public streets occurred at uncontrolled intersections, contrary to popular belief, uncontrolled intersections continue to pose the least significant risks for crashes.

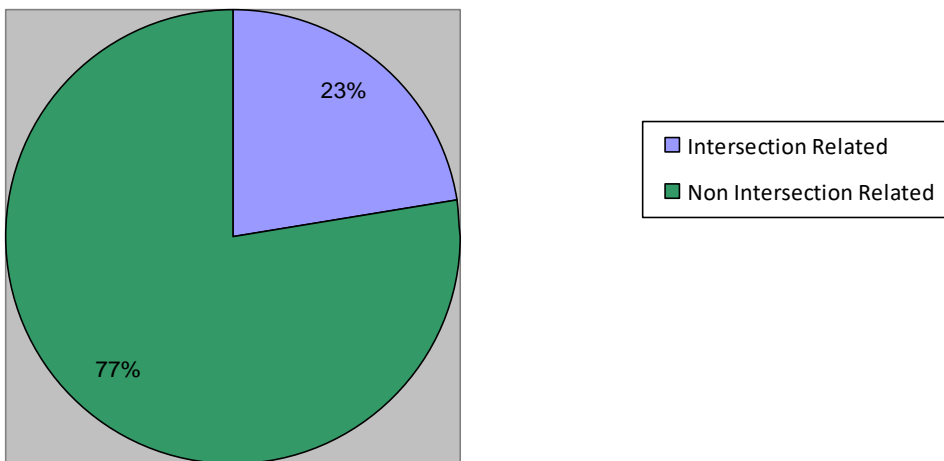
**Vehicle Crash Reports, 1980 – 2023**



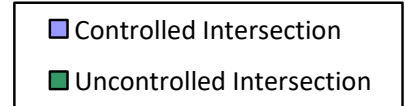
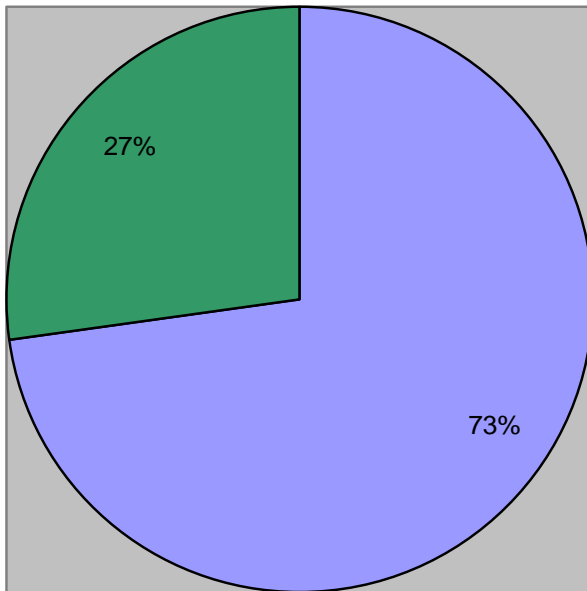
### Total Crashes; Private Property vs. Public Road



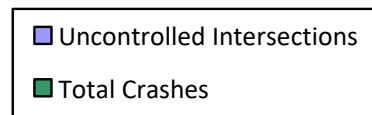
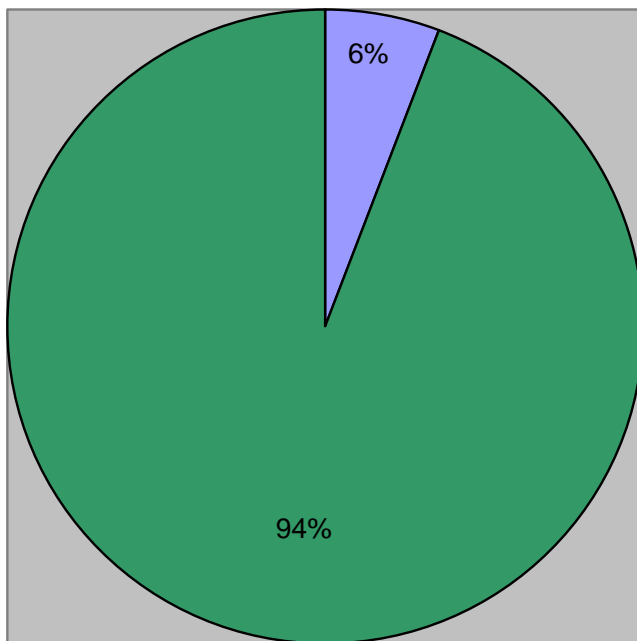
### Intersection Related Crashes that Occurred on Public Roads (Private Property Accidents Not Included)



### Intersection Related Crashes; Controlled vs Uncontrolled



### Uncontrolled Intersection vs. Total Public Road Crashes

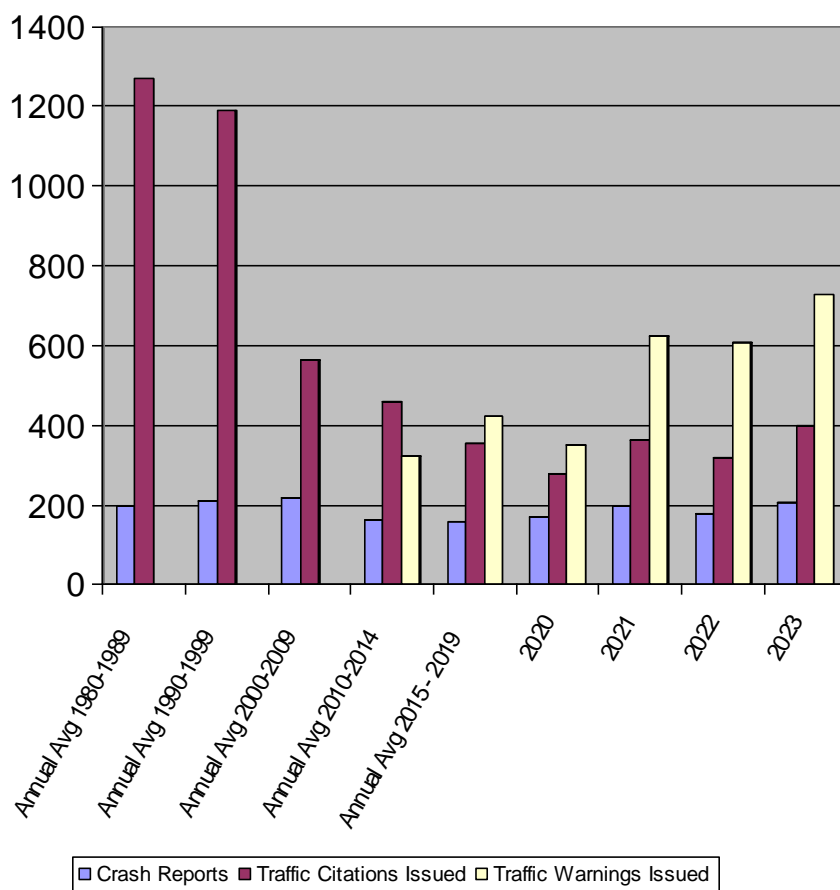






Traffic enforcement is an important public safety tool and a means to address specific problems. Based on historical crash data, aggressive traffic enforcement or the number of citations and warnings issued do not seem to correlate to lower accident rates. With the software system we began in using in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

### Vehicle Accident / Traffic Citation Ratio, 1980 – 2023



## **RACIAL PROFILING AND TRAFFIC STOP DATA**

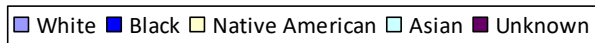
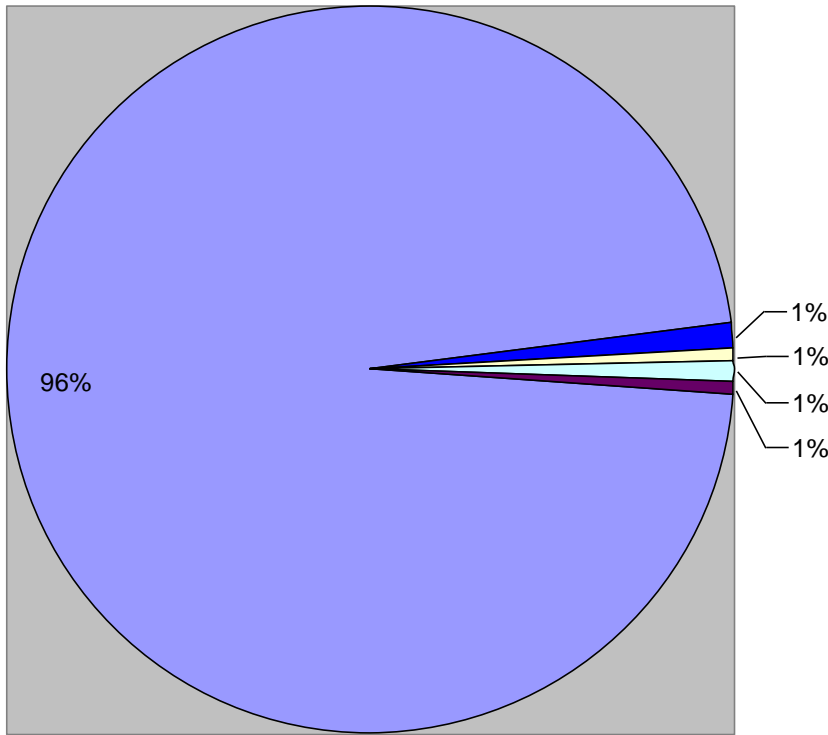
Pursuant to the requirements of 44-2-117 MCA, department policy requires the collection of data for each traffic stop that determines whether any officer has a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups 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 2023.

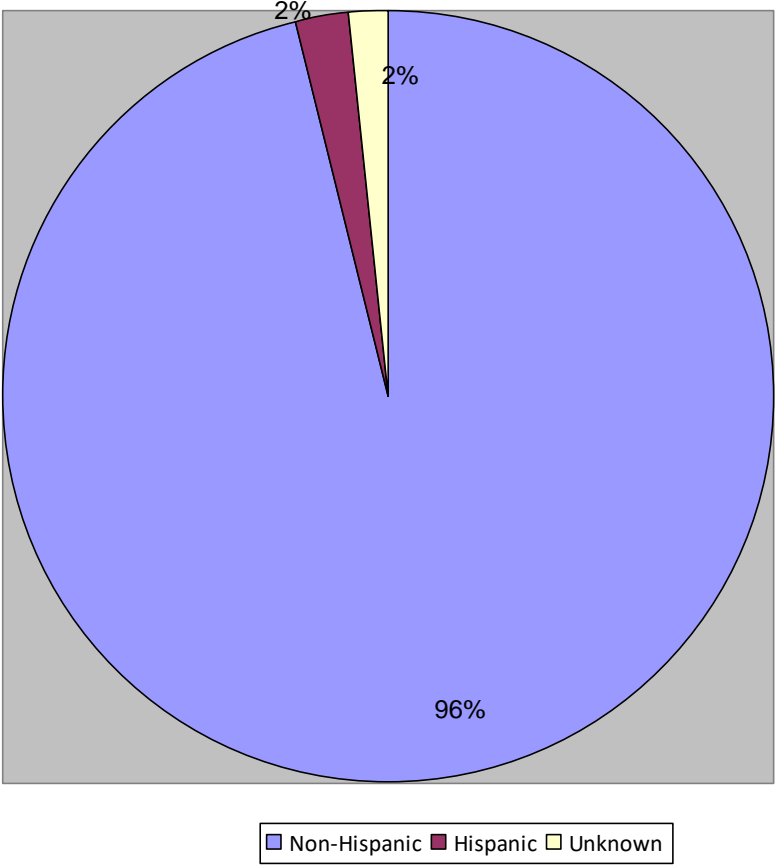
Consistent with the requirements of law, department policy provides for an annual review of this data. If the review reveals a pattern of any officer(s) of the Livingston Police Department stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population 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 2023, 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.

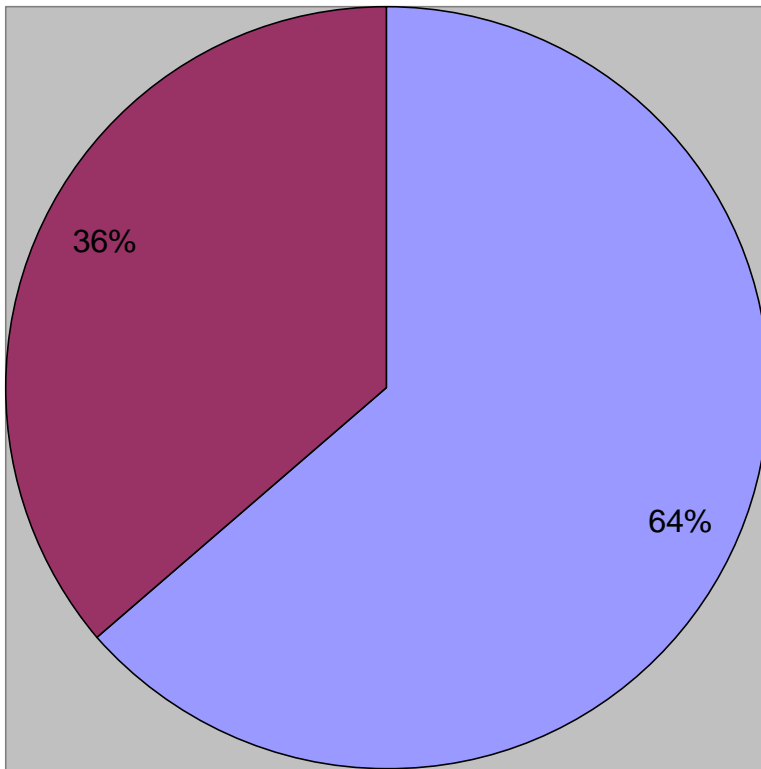
# 2023 Traffic Stops by Race



**2023**  
**Traffic Stops by Ethnicity**



# 2023 Traffic Stops by Sex



Male Female

# 2023 Traffic Stops by Age

