

# Use of Force Analysis

**JANUARY 1, 2019 - DECEMBER 31, 2019**

*"The mission of the Hollis Police Department is to protect life and property and to maintain order within the Town, in a fair and impartial manner."*

## Hollis Police Department

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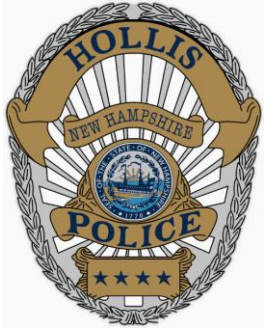
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**This report was completed by Captain Brendan LaFlamme,  
Operations Bureau Commander. The date of completion was  
January 15, 2020.**

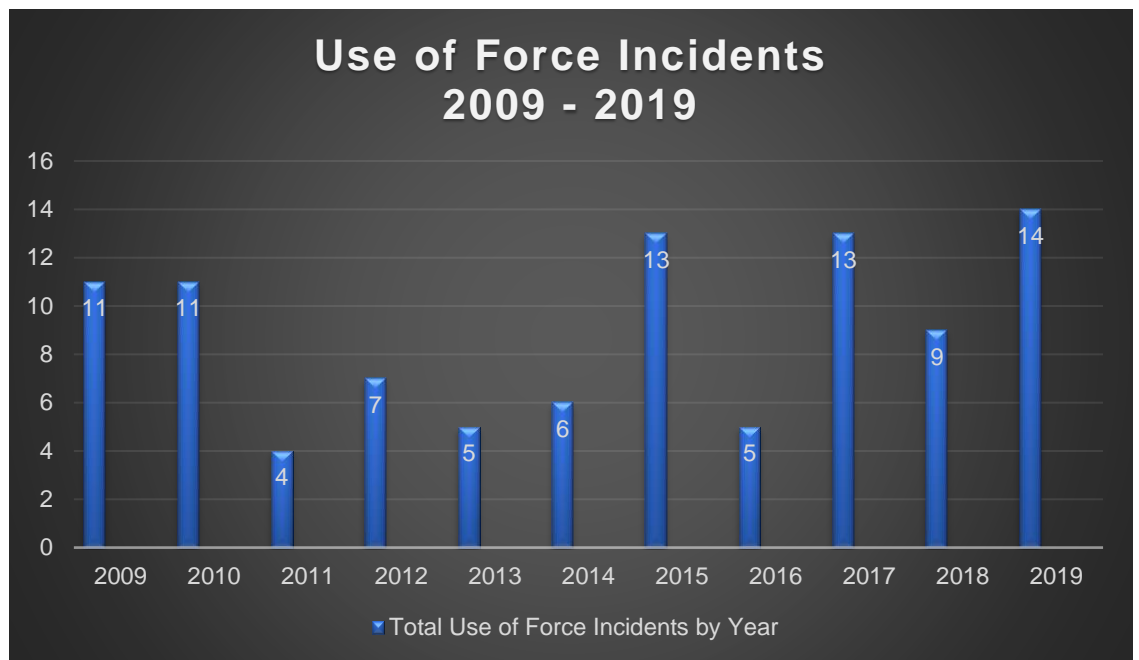


## **Overview**

At the request of Chief Joseph Hoebeke, I conducted an analysis of Use of Force incidents involving Hollis Police Officers between the period of January 1, 2019, and December 31, 2019. Additionally, I analyzed the Hollis Police Department Policies and Practices regarding Use of Force.

In 2019, Hollis Police Officers were involved in 14 incidents where force was used to either effect an arrest or to control an individual; this is an increase of 5 incidents, when comparing 2018 and 2019 data. Although this may seem like a significant increase over the previous year, the number remains consistent when looking at the previous four years. Following careful review of the facts and information surrounding each of the incidents involving the use and application of force, it was determined that each use of force was justified under applicable Hollis Police Department General Orders, as well as applicable New Hampshire State Laws, namely RSA 627:5, Physical Force in Law Enforcement.

Additionally, in 2019, Hollis Police Officers were involved in 8 other use of force incidents involving the euthanization of animals. These instances are not included in this analysis. However, it should be noted that all 8 of these incidents were reviewed and found to be in compliance with policy.

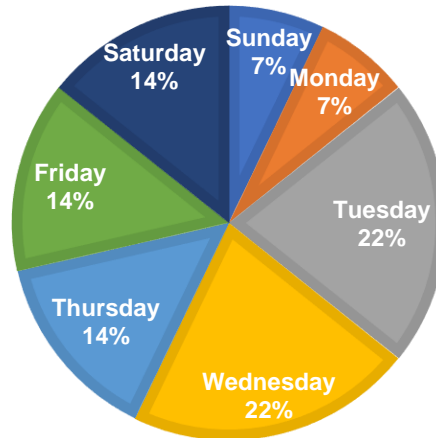


## Occurrences – Day of the Week

Tuesdays and Wednesdays had the highest number of use of force incidents out of any other days (three incidents each). Two incidents occurred each on Thursdays, Fridays, and Saturdays. Mondays and Sundays each had one incident.

## 2018 USE OF FORCE INCIDENTS - BY DAY OF WEEK

■ Sunday ■ Monday ■ Tuesday ■ Wednesday ■ Thursday ■ Friday ■ Saturday



In 2017 and 2018, Saturdays accounted for the most instances of use of force. This was attributed to greater amounts of community contacts due to weekend staffing levels, as well as being busier overall on Saturdays. In 2019, the most instances occurred on Wednesdays and Thursdays. The reason for this change is unknown, but it should be noted that all instances of use of force were reviewed and found to be in compliance with policy and statute.

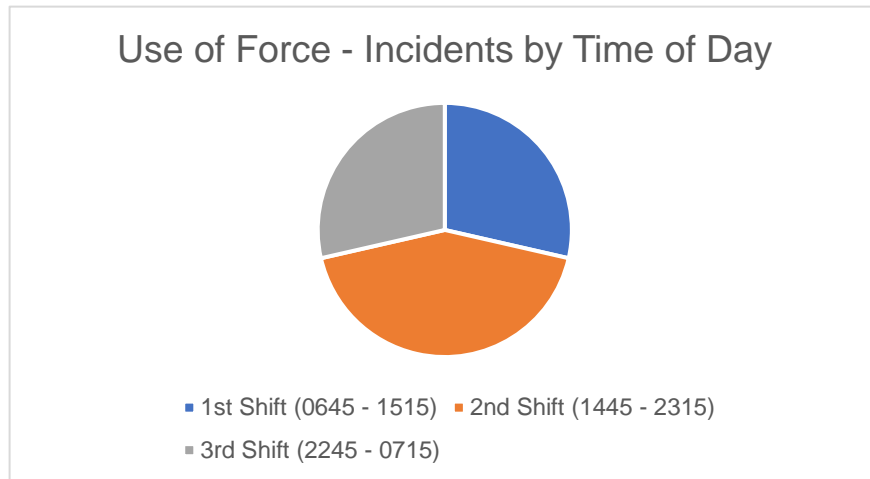
### Occurrences – Time of the Day

The 14 incidents of Use of force occurred during the course of all three shifts. There were 4 on third shift, 4 on first shift, and 6 on second shift. Patrol shifts run as follows:

1<sup>st</sup> shift (0645-1515 hrs)

2<sup>nd</sup> shift (1445-2315 hrs)

3<sup>rd</sup> shift (1445-0715) hrs.



Each shift saw a fairly consistent number of incidents of force being used. Second shift did see slightly more than the other two. This is partly due to the fact that Hollis is known as a “bedroom community,” meaning that during the day, a majority of the population leaves town for work and other purposes, and returns in the evening. Officers have more contact with citizens during the evening hours, leading to more chances of force incidents occurring. There do not appear to be any trends regarding a peak time that we use the most Use of Force, and no pattern appears to be in place.

Based on the data, there does not appear to be any need to readdress specific staffing issues on any given shift. As third shift is often run with just one officer working, an addition of a second officer to third

shift on a more regular basis could result in seeing an increase of use of force incidents on that shift due to increased police/citizen contacts.

## **Injuries**

In 2019, there was only one instance of Use of Force in which a suspect sustained an injury. In this instance, officers responded to a residence for a subject that was experiencing a mental health crisis. When officers arrived, the subject immediately charged at them, and was taken to the ground by means of physical force. The subject struck his face on the floor, and sustained a bloodied nose as a result. EMS were summoned to the scene where the subject received prompt medical care.

No Officers sustained any injuries during Use of Force incidents in 2019.

This statistic remains consistent with the two previous years. In both 2017 and 2018, only one person sustained an injury as a result of use of force by a Hollis Police Officer. Both of these injuries were minor (abrasion and a cut to the lip).

The Hollis Police Department has provided a number of trainings on de-escalation techniques in dealing with unruly and aggressive subjects in the past few years. This, coupled with our regular Use of Force training, seems to be having a positive effect on the low incidents of injuries to subjects involved in Use of Force.

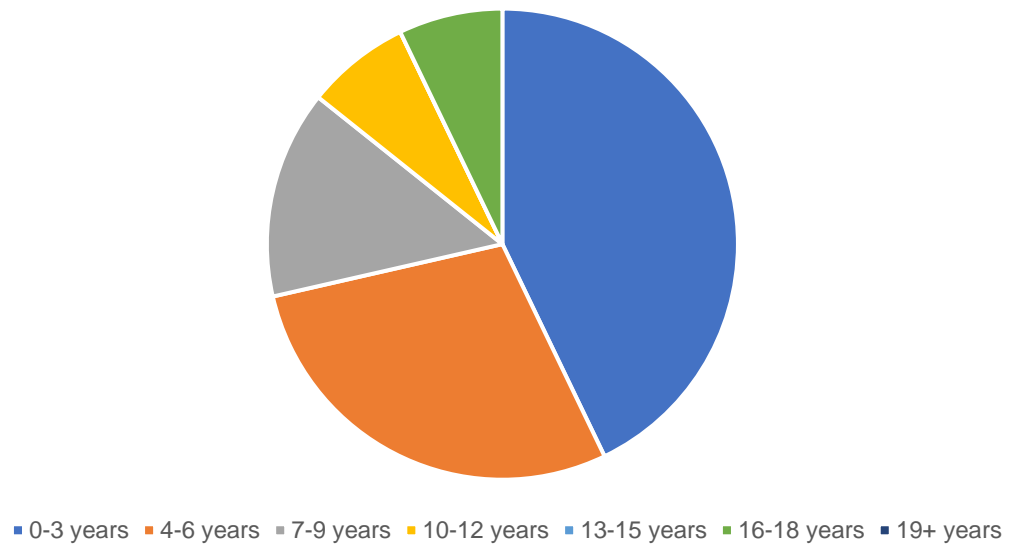
## **Age of Officers and Years of Service**

In 2019, the average age of Hollis Police Officers involved in Use of Force incidents was thirty-four years of age; while the average age of all Hollis Police Officers is thirty-three years of age.

In terms of years of service, 6 incidents were reported by officers who had 0-3 years of experience, 4 incidents were reported for 4-6 years, 2 incidents for 7-9 years, 1 incident for 10-12, 0 incidents for 13-15, and 1 incident for 16-18 years of experience. It should be noted that 7 of the 14 incidents reported involved 2 or more officers. In those instances, the average of their years of experience was used for reporting purposes. Based on the ages and experience levels of the officers involved, there does not appear as though there is a trend that inexperienced officers are more likely to resort to using force when compared with more experienced officers (in terms of years of service). Although the most reports of incidents of Use of Force were reported in the 0-3 years of experience group, it should be noted that this group of officers represents the general make-up of the patrol division, meaning that they would be exposed to more risks or calls that would escalate into a Use of Force situation. With this in mind, there appears to be no correlation that younger and/or less experienced Hollis Police Officers are more likely to resort to using force. Years of service categories are detailed below:



Years of Service for Officers Involved in Use of Force



Years of Service	
0 - 3 years	6
4- 6 years	4
7 - 9 years	2
10 - 12 years	1
13 - 15 years	0
16 - 18 years	1
19+ years	0

## Demographic Information

**AGE:** The average age of the subjects involved in the 14 Use of Force incidents in 2019 was 37, with the oldest being 65, and the youngest being 17 years of age.

Of the two females who had force used against them, one was 20 and one was 31 years old. The average age of females involved in Use of Force incidents was 25 years old.

Of the 14 males who had force used against them, the youngest was 17 and the oldest was 65. The average age of male suspects is 36 years old.

It is important to note that one of the 14 use of force incidents in 2019 involved a felony car stop in which three people were removed from a vehicle at gun point. This was documented as one use of force report, which explains why there are more people discussed in this section than the number of use of force incidents.

When compared with 2017 and 2018 statistics, the above numbers show an overall increase in ages and age averages in 2019. There were two incidents involving older males (63 and 65) which brought the averages higher than the previous two years. If those two are removed from the statistical analysis, then ages would be fairly consistent over the span of the three years.

**GENDER:** Force was used on 2 females and 14 males. As mentioned above, there are 14 documented Use of Force Incidents, which includes one in which three people were involved. Additionally, one of the incidents involved two male subjects in the same single incident.

In terms of gender, these numbers remain consistent with previous years, which have routinely shown that Force is used against males significantly more than females.

**RACE:** All suspects involved in Use of Force incidents in 2019 were Caucasian, with the exception of one Black female.

According to data retrieved from ACS Demographic and Housing Estimates, 2011 - 2015 American Community Survey, 5-Year Estimates, United States Census Bureau, Hollis, New Hampshire is composed of a high percentage of white residents. The total population based upon race alone or in combination with one or more other races, is as follows:

Race alone or in combination with one or more other races				
Total population	7,733	+/-26	7,733	(X)
White	7,486	+/-164	96.8%	+/-2.1
Black or African American	58	+/-53	0.8%	+/-0.7
American Indian and Alaska Native	8	+/-12	0.1%	+/-0.2
Asian	320	+/-182	4.1%	+/-2.4
Native Hawaiian and Other Pacific Islander	0	+/-15	0.0%	+/-0.4
Some other race	0	+/-15	0.0%	+/-0.4

In 2019, we did not record any instances where officers used force against persons of Hispanic or Latino ethnicity.

This is very similar to our statistics for 2017 and 2018, where we did not have any Use of Force incidents with Asian, Latino or Hispanic suspects.

The United States Census Bureau provides the following data relative to the population of individuals who are of Hispanic, Latino, or Asian descent:

HISPANIC OR LATINO AND RACE				
Total population	7,733	+/-26	7,733	(X)
Hispanic or Latino (of any race)	114	+/-98	1.5%	+/-1.3
Mexican	47	+/-67	0.6%	+/-0.9
Puerto Rican	9	+/-15	0.1%	+/-0.2
Cuban	0	+/-15	0.0%	+/-0.4
Other Hispanic or Latino	58	+/-70	0.8%	+/-0.9
Not Hispanic or Latino	7,619	+/-101	98.5%	+/-1.3
White alone	7,247	+/-211	93.7%	+/-2.7
Black or African American alone	27	+/-44	0.3%	+/-0.6
American Indian and Alaska Native alone	8	+/-12	0.1%	+/-0.2
Asian alone	198	+/-146	2.6%	+/-1.9
Native Hawaiian and Other Pacific Islander alone	0	+/-15	0.0%	+/-0.4
Some other race alone	0	+/-15	0.0%	+/-0.4
Two or more races	139	+/-108	1.8%	+/-1.4
Two races including Some other race	0	+/-15	0.0%	+/-0.4
Two races excluding Some other race, and Three or more races	139	+/-108	1.8%	+/-1.4

The Use of Force statistics are consistent with the documented population, and there do not appear to be any trends or patterns in the Use of Force based on race. Our numbers remain consistent over the time periods reviewed.

## **Background Information and Reasons for Force Being Used**

### **Incident #1: Thursday, January 17, 1416 hrs**

Multiple officers responded to a [REDACTED] residence for a reported suicidal subject. Upon the officer's arrival, the subject immediately charged at the officers, while verbally challenging them to fight. Officers used defensive tactics (arm bar take down) to bring him to the ground. He was subsequently placed in hand handcuffs, but continued to challenge officers to fight. He sustained a bloodied nose when taken to the ground. The subject was provided with prompt medical treatment at a local hospital.

### **Incident #2: Sunday, February 24, 1913 hrs**

Officer Collishaw responded to a residential burglar alarm at a [REDACTED] address. Upon arrival, he observed a subject walking through the house with a firearm in his hand. Officer Collishaw drew his firearm and ordered the subject out of the house. Further investigation revealed that the subject was a neighbor, who had been asked by the homeowner to go check on the house. No firearms were discharge in this incident, and no charges resulted.

### **Incident #3: Monday, April 22, 1158 hrs.**

Officer Ilges and Officer Collishaw responded to a [REDACTED] address for a check the welfare call. The call was made by a landlord who was trying to gain access to an apartment for the purposes of fixing a plumbing issue. The landlord reported that he could not get anyone to come to the door, and that he was certain the tenant was home. After multiple attempts to make contact with the tenant, officers entered the apartment. They immediately encountered a subject who was pointing a shotgun in their direction. After retreating from the house, officers ordered the subject out of the house at gunpoint. Firearms were displayed for compliance purposes. No firearms were discharged, and no injuries were reported. Subject was taken into custody and transported to hospital for unrelated medical issues.

Incident #4: Thursday, June 27, 1800 hrs

Sgt. Poulicakos and MPO Wallent responded to a [REDACTED] residence for a domestic dispute in which it was reported that a firearm was pointed at one of the parties. Upon arrival, officers were met outside by the party that allegedly had the firearm. Officers had their weapons drawn for compliance purposes. The subject was cooperative. He was searched, with no weapons being found. The investigation determined that the call was unfounded, and the only weapons present were airsoft guns, none of which

were used in a threatening manner. No charges were filed. No weapons were discharged, and no injuries were reported.

Incident #5: Friday, June 28, 1100 hrs

Sgt. Tate and Officer Ilges responded to assist the ambulance with a medical call at a [REDACTED] residence. The patient was having a diabetic emergency and was combative. Officers attempted to restrain him by way of simply holding his arms, with unproductive results. He was ultimately handcuffed to a stretcher until he could be sedated by medical staff. Handcuffs were removed prior to transport, once the sedative took effect. No injuries were reported, and no charges were filed.

Incident #6: Saturday, July 6, 0114 hrs,

Officer Collishaw responded to a [REDACTED] residence for a report of an active home invasion, with an assault in progress. Upon arrival, he drew his firearm and made entry to the house, only to learn that the suspects had already left the premises. He immediately re holstered his weapon and initiated an investigation. No firearms were discharged, and no injuries reported.

Incident #7: Monday, November 5, 1719 hrs

Officers Kushmerek, Kennedy, and Ilges located a vehicle in a parking lot in which the owner had an active arrest warrant from

another jurisdiction. There was a caution on the warrant the subject may be armed. Officers initiated a felony stop on the vehicle, ordering two occupants out of the vehicle. Two officers displayed firearms for compliance, the third displayed her Taser for compliance. Both subjects were taken into custody without incident. No firearms were discharged, no Taser was deployed, and no injuries were reported.

Incident #8: Saturday, September 28, 1941 hrs

Officer Collishaw and Officer Kushmerek responded to a [REDACTED] address for a report of an intoxicated suicidal subject. This subject was known to the agency, due to increasing call volume at the house. Upon arrival, it was determined that the subject was alone in the house, as his wife was able to flee with their child. It was also reported that the subject had just assaulted the wife. The subject was reportedly armed with a sword, and was known to have access to firearms, however did not own any. A perimeter was established around the house, and officers spent several hours attempting to make contact with the subject. He eventually came to a window, where officers were able to take control of his arms through the window. Entry was then made into the house and the subject was taken into custody without incident. No firearms were discharged, and no injuries were reported.



Incident #9: Friday, October 25, 2308 hrs

Officer Ilges and MPO Wallent responded to a motor vehicle collision at the intersection of [REDACTED] Officer Wallent determined that there was probable cause to believe that the driver of the car was impaired, and advised him he was under arrest. The defendant's father, who had arrived on scene after the crash, interfered with the arrest by stepping in between the Officer Wallent and the defendant and offering protestations and constitutional arguments. Officer Ilges physically moved the father out of the way by taking hold of both of his arms and escorting him away. No injuries were reported during this incident.

Incident #10: Wednesday, October 30<sup>th</sup>, 0030 hrs

Officer Collishaw, Officer Ilges, and MPO Wallent responded to a [REDACTED] address for an out of control 17-year-old. This subject is known to the agency. He is known to be a large, strong, athlete with a temper and some mental health issues. The subject was immediately aggressive towards officers, and made movements that suggested violent acts were likely. Officers drew their Tasers for compliance purposes and were eventually able to get him to listen to commands and calm down. No Tasers were deployed, and no injuries were reported.

Incident #11: Monday, November 11, 1120 hrs

Sgt. Tate located a vehicle that was known to belong to the girlfriend of a subject that had felony warrants out of a neighboring jurisdiction. The wanted subject is known to carry firearms. Sgt. Tate followed the vehicle, and after confirming that he saw a male in the car matching the description of the wanted subject, initiated a felony car stop. He drew his firearm and ordered all three subjects out of the car, where they were all detained. Two of the subjects in the car had warrants from Merrimack PD, and were taken into custody by Merrimack officers at the scene. No firearms were discharged, and no injuries were reported.

Incident #12: Wednesday, November 20, 1842 hrs

Sgt. Poulicakos and Officer Collishaw responded to a known residence on [REDACTED] for what was believed to be a medical call. Upon arrival, officers learned it was actually a family disturbance. Officer Collishaw attempted to pat search one of the involved parties for weapons. This agitated the subject who attempted to pull away from the officer. Sgt. Poulicakos took hold of the subject and secured him with an arm lock maneuver. The subject was searched, then released. No injuries were reported.

Incident #13: Tuesday, December 10, 1900 hrs

Officer Collishaw was at a local hospital on an unrelated matter, when Nashua Police officers were attempting to effect an arrest on a female subject who was actively resisting. He assisted by taking hold of her left arm so she could be handcuffed. She continued to resist after being cuffed, by kicking, spitting, and refusing to walk to the cruiser. Officer Collishaw placed pressure with his arm onto her face, to direct her spit away from officers, and also helped to carry her outside by lifting her by the legs. No injuries were reported in this incident.

Incident #14: Wednesday, December 25, 0100 hrs

Officer Ilges responded to Brookline to assist at a domestic disturbance call. A suspect was initially believed to have fled the residence. But was later found to be hiding underneath a mattress. Officer Ilges displayed his Taser for compliance purposes while the Brookline Officer gave commands and continued the investigation. The subject was compliant, and escorted from the home a short time later. No Tasers were deployed, and no injuries reported.

**Types of Force Used**

The most common types of force used in 2019 were officers using firearms to gain compliance and/or control a subject, and use of physical force for the same reasons. It should be noted in all firearms related instances, no discharges occurred. All were displayed for compliance purposes, and had the intended results.

During the analysis period (January 1, 2019, through December 31, 2019), Hollis Police Officers did not utilize their Monadnock Expandable Baton, Oleoresin Capsicum spray, or Taser CEW (Tasers were displayed for compliance purposes, but not deployed). It should be noted that this is the third year in a row where we have not used any of these intermediate weapons.

The only instances of force used on humans were physical force by hand control, and firearms and Tasers displayed for compliance and safety purposes, as mentioned above.

## **Personnel Summary**

An analysis of the 14 incidents where Hollis Police Officers used force on other people show that Officer Nicholas Collishaw and Officer Lucas Ilges were involved in the most Use of Force incidents (Collishaw 7, Ilges 6). Several of these instances involved more than one officer, and both officers were involved in one instance together. It is not surprising that that these officers would have more instances of use of force than others. Both are highly motivated, active officers. They both work a significant amount of overtime shifts, thereby

increasing their odds of getting more calls, leading to more exposure to potential incidents requiring force to be used. A careful review of each incident determined each was justified. The instances around the use of force being used varied, and the officers were found to have used proper discretion in the application of force.

### **Impact of Findings on Training Issues**

During the course of my analysis and review of each of the 14 listed Use of Force incidents, I did not identify any training issues that should be addressed relative to the application of force, specifically, escalation and de-escalation. There do not appear to be any trends or patterns associated with these Use of Force incidents in regards to injuries to suspects or employees. All 14 incidents of Use of Force reported were found to be in compliance with department policy, as well as all applicable state and federal law.

Additionally, there do not appear to be any negative trends in Use of Force related to race, age, or gender. All but one suspect was white, which is not alarming, as the population of Hollis, and NH in general, is primarily white. The majority of people who force was used on were male, with only two female subjects having had force used on them, and there does not appear to be any direct correlation between gender and amount of force used. As for age of suspects, the range of 17-65 does not seem to show any trend or pattern.

Although no officer used any intermediate weapons such as expandable baton, OC spray, or Taser in 2019, it is important to maintain proficiency in the application of the use of these weapons. Our future training should focus on scenario-based situations to make sure officers can make solid Use of Force choices and transition between weapons when faced with various levels of aggression or resistance in the field.

The Hollis Police Department will continue to offer training to all members in topics such as bias based policing, ethics and cultural diversity as well as defensive tactics to ensure appropriate application of Use of Force when necessary in the future.

## **Impact of Findings on Policy and Practices**

Hollis Police Department General Order PR-302 “Use of Force” dictates all response options for Use of Force situations up to and including deadly force. It was last updated in April of 2019. The purpose of the changes at that time were procedural in nature, and did not affect the manner in which Hollis officers are expected to reasonably use force. This document also covers training of officers in various weapons, inspection of department weapons, and administrative reviews of all Use of Force.

One area of training the was found to be necessary addressed how to appropriately respond when a bystander physically interferes

with an arrest. This stemmed from the incident mentioned above when a family member actively tried to prevent his son's arrest. The appropriate charge would have been Hindering Apprehension. This was addressed with the officers involved.

This Use of Force Analysis has shown that we have been following our policy. No Use of Force incidents that occurred this year have caused us to consider changing any of the procedures set out in this policy. Additionally, the practices set up by the policy, including administrative documentation and review of Use of Force incidents, is extremely effective. All levels of supervision up to and including the Chief of Police are part of the review of each Use of Force, making it extremely unlikely that an issue would not be addressed. It is clear our Use of Force policy is still appropriate, relevant and effective for our department. Additionally, our practices ensure we are closely following the policy.

### **Impact of Findings on Equipment**

This Use of Force Analysis does not identify any equipment issues that need to be corrected at this time. We experienced no failure of equipment through Use of Force. Our Firearms, Tasers, OC Spray and Expandable Batons remain inspected, in good repair and available to all officers.

### **Summary**

In summary, the bulleted items below are identified as critical components of this analysis:

- There were nine (14) Use of Force incidents requiring completion of a Use of Force Report. This excludes animal euthanizations.
- One (1) suspect was injured, with a bloodied nose. M
- No officers were injured during any of the Use of Force incidents.
- The average age of suspects involved in Use of Force incidents was 37 years of age.
- The average age of Hollis Police Officers involved in Use of Force incidents was 34 years of age.
- The average age of all Hollis Police Officers is 33 years of age.
- All 14 of the Use of Force incidents were determined to be in conformance with applicable departmental general orders and state laws.
- An analysis of department policies and practices show that they remain consistent with state law and also conform to The President's Task Force on 21<sup>st</sup> Century Policing. No changes are recommended.

## **Administrative Review**

Report completed by Captain Brendan LaFlamme,

Operations Bureau Commander, Hollis Police Department.



Date of Completion: January 15, 2020

Signature: \_\_\_\_\_

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Review/ Approved by Chief of Police:

Joseph R. Hoebeke, Chief of Police

Signature: \_\_\_\_\_

Date: \_\_\_\_\_