

# Use of Force Analysis

**JANUARY 1, 2020 - DECEMBER 31, 2020**

*"We are a dedicated and trustworthy family of law enforcement professionals who pride ourselves on being approachable, and we are devoted to strengthening our safe and thriving community."*

**Hollis Police Department**

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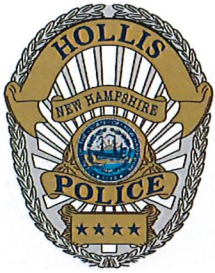
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## Table of Contents

### Contents

Overview	1
Occurrences – Day of the Week	2
Occurrences – Time of the Day	3
Injuries	5
Age of Officers and Years of Service	5
Demographic Information	7
Background Information and Reasons for Force Being Used	9
Types of Force Used	13
Personnel Summary	14
Impact of Findings on Training Issues	15
Impact of Findings on Policy and Practices	17
Impact of Findings on Equipment	18
Instructor Review	18
Summary	19
Administrative Review	21

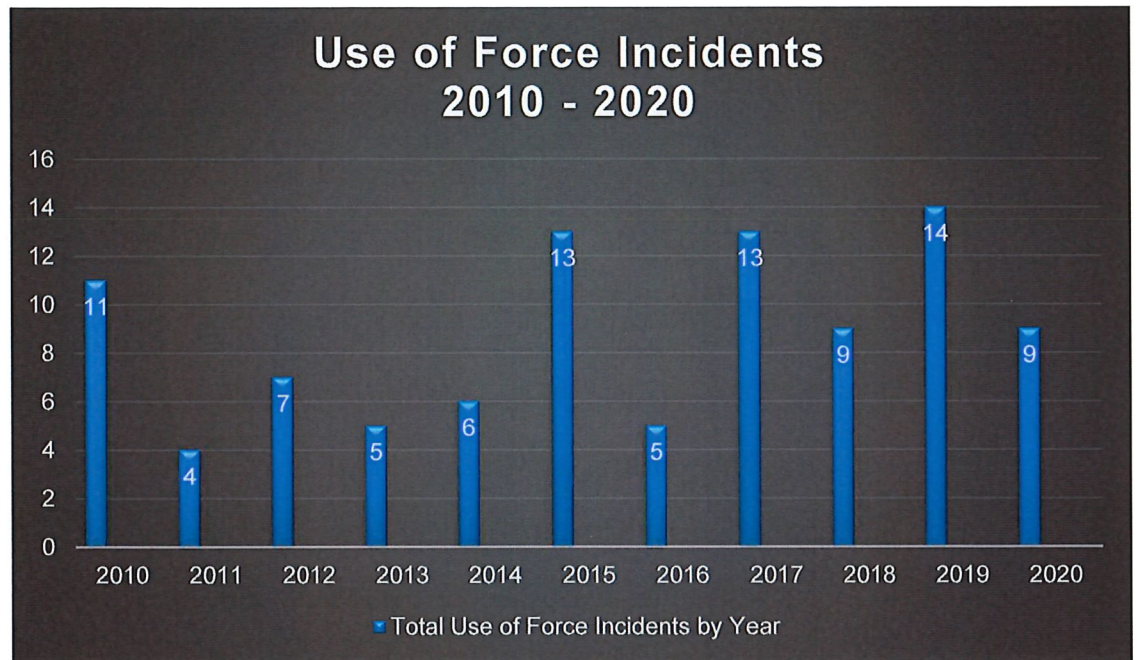
This report was completed by Captain Brendan LaFlamme, Operations Bureau Commander. The date of completion was February 25, 2021.



## Overview

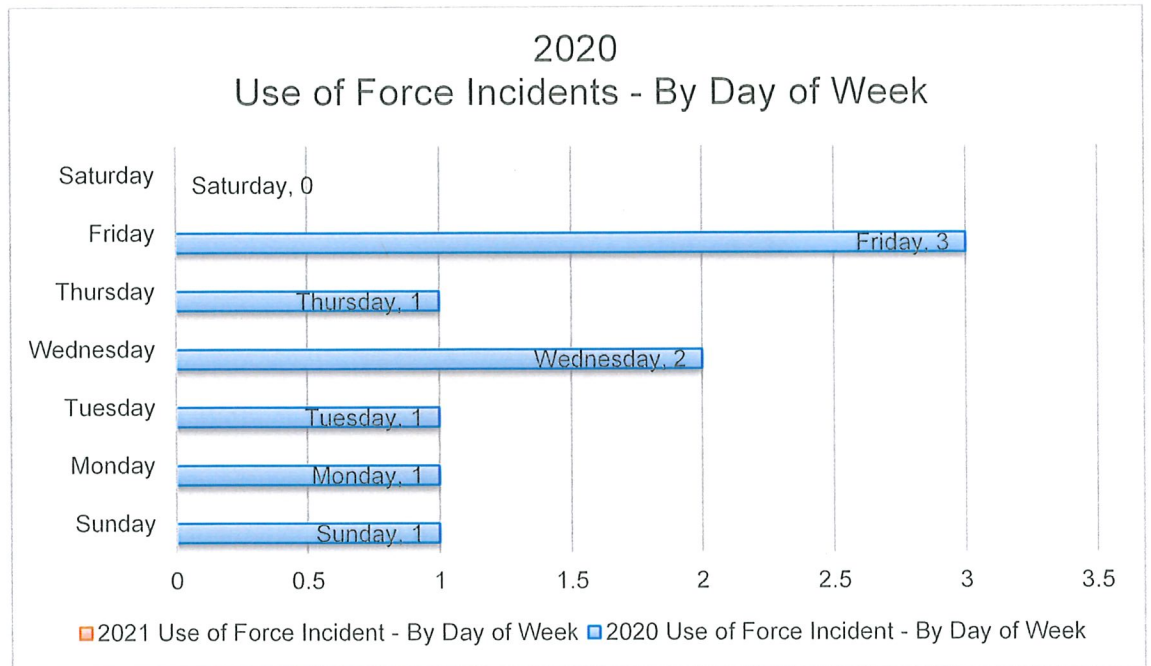
At the request of Chief Joseph Hoebeke, I conducted an analysis of Use of Force incidents involving Hollis Police Officers between the period of January 1, 2020, and December 31, 2020. Additionally, I analyzed the Hollis Police Department Policies and Practices regarding Use of Force.

In 2020, Hollis Police Officers reported 17 incidents of Use of Force. It is important to note that out of these 17 incidents, 8 resulted from the need to humanely euthanize sick or injured wild animals. For the purposes of this Use of Force Analysis, animal euthanizations will not be considered, although it is noted that all of these incidents were found to be in compliance with policy and any applicable statutes. For the purposes of this analysis, the remaining 9 incidents where force was used in response to resistance will be discussed. This number remains fairly consistent with previous 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 the responses to resistance were 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.



## Occurrences – Day of the Week

In 2019, the most instances occurred on Wednesdays and Thursdays. For 2020, the instances were spread out fairly evenly amongst all days of the week. Sunday, Monday, Tuesday, and Thursday all accounted for 1 instance of force, while Wednesday had 2. Fridays had the most instances of force, with 3. The Hollis Police Department did not record any response to resistance incidents on Saturday. The higher number on Fridays makes sense, as we typically have more community contacts on the weekends, which lends to greater chances of dealing with non-compliant individuals.



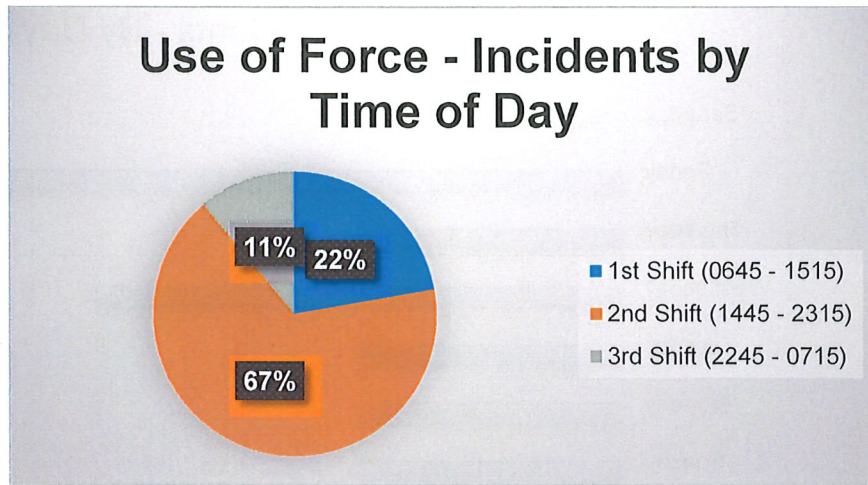
## Occurrences – Time of the Day

The 9 incidents of Use of force occurred during the course of all three shifts. There was 1 on third shift, 2 on first shift, and 6 on second shift. Patrol shifts run as follows:

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

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

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



Second shift saw a greater number of response to resistance incidents than the other two shifts combined. 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 usage in response to resistance. There do not appear to be any trends regarding a peak time that we used force in response to resistance, 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 2020, there were no instances of force usage resulting in injury to a suspect/detainee. Additionally, there were no injuries reported to agency members during the force usage incident recorded in 2020. This shows that officers use restraint and take care not to use more force than is necessary to gain control of a suspect/detainee. This statistic alone should not be used solely to determine if officers used appropriate force, as injuries are not necessarily entirely avoidable, but it can be used as one gauge in analysis. This statistic is lower than the 3 previous years as one minor injury was sustained during each of those time periods (2017, 2018 & 2019).

Over the past three years, which includes 2020, the Hollis Police Department has provided a number of trainings on duty to intervene, peer-to-peer intervention, and de-escalation techniques in dealing with unruly and aggressive subjects. This, coupled with our regular Use of Force training, seems to be having a positive effect on the number of responses to resistance incidents that result in a suspect/detainee and/or officer sustaining injuries.

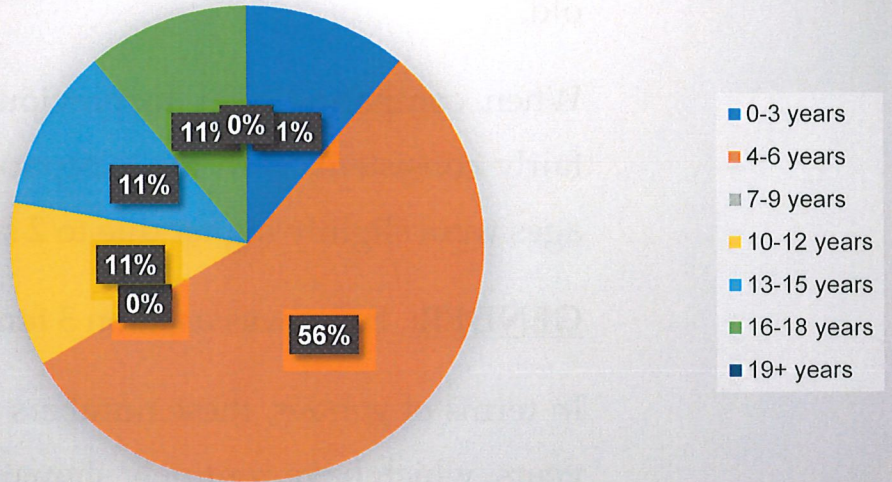
## **Age of Officers and Years of Service**

In 2020, the average age of Hollis Police Officers involved in Use of Force incidents was 34 years of age; while the average age of all

Hollis Police Officers is 35 years of age. This is similar to 2019, when the average age of officers involved was also 34, and the average age of all Hollis Officers was 33.

In terms of years of service, 1 incident was reported by officers who had 0-3 years of experience, 5 incidents were reported for 4-6 years, 0 incidents for 7-9 years, 1 incident for 10-12, 1 incident for 13-15, and 1 incident for 16-18 years of experience. It should be noted that 4 of the 9 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 responses to resistance incidents were reported in the 4-6 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 response to resistance 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 Response to Resistance Incidents (2020)



	Years of Service
0 - 3 years	1
4- 6 years	5
7 - 9 years	0
10 - 12 years	1
13 - 15 years	1
16 - 18 years	1
19+ years	0

### Demographic Information

**AGE:** The average age of the subjects involved in the 9 Use of Force incidents in 2020 was 30, with the oldest being 54, and the youngest being 17 years of age.

The ages of the three females who had force used against them in 2020 were 18, 32, and 54, with the average age being 34.

Of the 6 males who had force used against them, the youngest was 17 and the oldest was 41. The average age of male suspects is 28 years old.

When comparing ages to previous years, these numbers remain fairly consistent, with the exception of 2019, in which the average ages were slightly higher due to 2 subjects being over the age of 60.

**GENDER:** Force was used on 3 females and 6 males.

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

**RACE:** All suspects involved in Use of Force incidents in 2020 were Caucasian.

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 2020, we only recorded 1 instance of force used against a person of the Hispanic Ethnicity. It is important to note that our Records Management System tracks ethnicity separately from race.

In looking and race and ethnicity of all those involved in the use of force incidents recorded in 2020, it is readily apparent that no minority group is subject to a disproportionate amount of force used against them.

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

### **Incident #1: Sunday, January 19, 1550 hours**

A Hollis Officer was dispatched to a neighboring jurisdiction to assist with taking a woman into custody pursuant to a signed Involuntary Emergency Admission (IEA). The woman was located,

and she resisted while being taken into custody. The Hollis Officer used a restraint technique to secure her arms behind her back so that she could be placed in handcuffs. No injuries were reported, and the woman was safely transported to a local hospital.

Incident #2: Monday, February 10, 1425 hours

Harbor Homes obtained Involuntary Emergency Admissions paperwork for a resident who had allegedly made statements about “shooting up a PD” and die by “suicide by cop.” Multiple officers from two agencies responded to the residence, set up a perimeter, and made contact by phone. The subject came out of the house and was given verbal commands to show/gain compliance. Due to possibility of firearms being present, officers had firearms drawn on the subject. No shots were fired, and no injuries were reported. The subject was taken into custody without incident and transported to a local hospital.

Incident #3: Wednesday, February 13, 2215 hours.

This incident involved a Hollis officer who was working with the Hillsborough County Street Crimes Task Force. At the time, he was conducting surveillance in another jurisdiction, when a decision was made to stop a vehicle suspected of being involved in criminal activity. The vehicle fled from marked police units and managed to elude the attempted motor vehicle stop. The vehicle was located a

time later parked in yet another jurisdiction. The suspect was found to be sleeping in the vehicle. Due to the suspects previous actions and information gathered, there was concern the suspect may have had weapons. The Hollis Officer, along with others from the Task Force, ordered the suspect out of the vehicle at gun point. He was taken into custody without incident. No shots were fired, and no injuries were reported.

Incident #4: Thursday, May 14<sup>th</sup>, 0750 hours

A patrol officer attempted to stop a vehicle for a motor vehicle violation. The vehicle took measures to elude the stop, and eventually turned down a dead-end road, which forced the vehicle to stop. A felony stop was initiated, with two officers drawing their firearms. The suspect was taken into custody without incident. No shots were fired, and no injuries were reported.

Incident #5: Friday, May 22, 2308 hours

Officers responded to a residence for a medical call involving a heavily intoxicated individual. The subject was in need of medical assistance, but was being combative. Officers had to use restraint techniques to get him restrained on an ambulance stretcher. One officer had to ride in the ambulance to the hospital. During the ride, the subject had to be held down on the stretcher multiple times. At

the hospital, the officer was relieved by security officers. No injuries were reported during this incident.

Incident #6: Saturday July 3, 2115 hours

Multiple Officers responded to a residence in response to receiving Involuntary Emergency Admission (IEA) paperwork for a suicidal female. The subject was located in bed, and refused to comply with the officers' instructions. Restraint techniques were used to take her into custody, at which time she actively resisted. She was placed in handcuffs, and had to be carried part way to a cruiser. She eventually cooperated and was transported to a local hospital for evaluation. No injuries were reported as a result of this incident.

Incident #7: Tuesday, July 21, 2145 hours,

A Hollis Officer attempted to make a motor vehicle stop for a moving violation. The vehicle did not pull over and fled at a high rate of speed. The Officer did not actively pursue, but continued traveling in the direction the vehicle fled in an attempt to locate it. The officer located the vehicle in a neighboring town, at which point he initiated a felony stop. The driver was ordered out of the vehicle at gun point, at which time he was taken into custody without incident. No shots were fired, and no injuries were reported.

Incident #8: Wednesday, August 5, 1719 hours

Officers responded to a residence to take a 17-year-old juvenile into custody pursuant to an Involuntary Emergency Admission (IEA). This subject is known to have extreme outbursts, and is very large and strong. He is also known to make statements about being willing to fight police. The subject was located outside his residence. One officer displayed a Taser while others attempted to talk to him. The subject started to walk away, at which point officers took hold of his arms and placed him in handcuffs. He was transported to a local hospital. The Taser was not deployed. No injuries were reported.

#### Incident #9: Friday, August 28, 1700 hours

Officers responded to a residence for a reported suicidal 18-year-old. It was determined that she was not suicidal, but that she had committed an act of domestic violence on a family member. Officers attempted to take her into custody. She refused to comply and officers had to use force to get her hands behind her back so she could be handcuffed. She then actively resisted being brought to a cruiser. EMS on scene assisted with removing her from the second floor location by providing a stair chair had to get her downstairs in the residence and to a cruiser for transport. No injuries were reported.

### **Types of Force Used**

The most common types of force used in 2020 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, 2020, through December 31, 2020), Hollis Police Officers did not utilize their Monadnock Expandable Baton, Oleoresin Capsicum spray, or Taser X26P CEW (Tasers were displayed for compliance purposes, but not deployed). It should be noted that this is the fourth 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.

It should be noted that the majority of these incidents involved subjects that were experiencing some type of mental health crisis. Continued training in the areas of mental health and de-escalation are critical to continuing our efforts to use as little force as necessary when dealing with those in mental health crisis.

## **Personnel Summary**

An analysis of the 9 incidents where Hollis Police Officers used force in response to resistance indicate that 8 Officers were involved. Several of these incidents involved more than one officer. Five officers were only involved in 1 incident each. Two officers were

involved in two incidents each, and one officer was involved in four incidents.

Careful review was given to the officer that was involved in 4 incidents. Although this officer accounted for nearly half of the response to resistance incidents detailed in this analysis, we considered several factors to determine if there were issues that this officer was overly reliant on using force. When factoring in overtime and grant funded activities, this officer worked significantly far more hours than any other officer in 2020. In addition to hours worked, this officer also had far more citizen contacts by way of proactive and self-initiated activities. These extra hours, plus higher numbers of contacts seemingly elevated the likelihood that this officer would have a higher number of recorded responses to resistance incidents. In summary, no training issues or concerns were found relative to this one officer with the most use of force incidents in 2020. This is also true of the other officers who were involved in the recorded response to resistance incidents.

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

During the course of my analysis and review of each of the 9 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 9 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 suspects were white (with one being Hispanic), which is not alarming, as the population of Hollis, and NH in general, is primarily white. The majority of individuals where force was used were male, with only three 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 17-54 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 2020, it is important to maintain proficiency in the application of the use of these response to resistance options. Our future training should focus on scenario-based situations to make sure officers can make effective and timely decisions relative to force usage and the transition between available force options when faced with various levels of aggression or resistance in the field. We did accomplish this type of training in 2020 by way of simulation/scenario-based training, and we should strive to continue to incorporate this type of training, along with our de-escalation training into future years. Nearly half of our use of force incidents in 2020 involved subjects who were experiencing some

type of mental health issue or crisis. We should look to continue training our officers in dealing with those who are suffering mental health issues or crises.

The Hollis Police Department will continue to offer training to all members in topics such as bias based policing, ethics and cultural diversity/awareness, 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 September 2020. 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.

This Use of Force Analysis has shown that we have been following our policy. No Use of Force incidents that occurred in 2020 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, are 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 condition, and available to all officers.

## **Instructor Review**

Three Hollis Police Use of Force Instructors were asked to review all 9 of our 2020 use of force incidents. All agreed that these incidents were justified, and in compliance with all HPD policies, as well as applicable state statutes. Recommendations were made by the instructors to have reporting officers use more thorough descriptions when describing the force used. For example, stating that a “restraint technique was applied,” or “I took hold of his arm” does not necessarily give a complete picture. More detail in this area will provide for the ability to review and critique our applications of the use of force, and will allow us to be better informed in determining

what techniques are the most effective, which could potentially lead to enhanced training in these areas.

Instructors also made note of the high frequency of Use of Force incidents involving those suffering from mental health emergencies. They agreed that all of the incidents were justified; however, they noted that we should continue to train officers in the area of mental health crisis and de-escalation tactics.

## **Summary**

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

- There were 17 Use of Force incidents requiring completion of a Use of Force Report. For the purposes of this analysis, 8 were discarded (animal euthanizations).
- No suspects were injured.
- No officers were injured during any of the Use of Force incidents.
- The average age of suspects involved in Use of Force incidents was 30 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 35 years of age.

- All 9 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.
- It is recommended that the Hollis Police Department Use of Force Reporting Form be modified to include more categories, for the purpose of making future yearly analysis's easier and faster to complete. The recommended fields are: age of officer, Day of the week, and race and ethnicity of the individuals involved in the incidents.
- The Hollis Police Department reports Use of Force (response to resistance) data to the Federal Bureau of Investigation (FBI) through their online Law Enforcement Enterprise Portal (LEEP). Specifically, the site allows our agency to enter to what is referred to as 'Zero Reports' as it only collects data from use of force incidents resulting in death, serious bodily injury, or the use of a firearm (other than animal euthanizations).

## **Administrative Review**

Report completed by Captain Brendan LaFlamme,  
Operations Bureau Commander, Hollis Police Department.

Date of Completion: March 25, 2021

Signature: Brendan LaFlamme 3/25/21

Review / Approved by Chief of Police:

Joseph R. Hoebeke, Chief of Police

Signature: Joseph R. Hoebeke

Date: 3/25/2021

