

# Use of Force Analysis

JANUARY 1, 2021 - DECEMBER 31, 2021

*"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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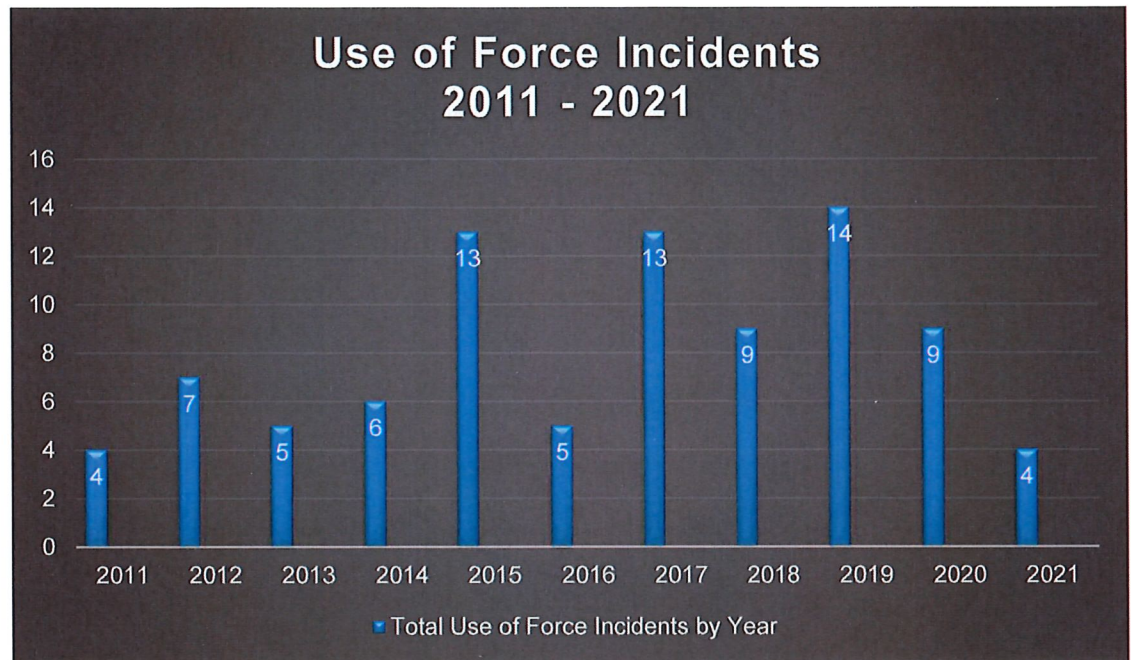
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**This report was completed by Captain Brendan LaFlamme, Operations Bureau Commander. The date of completion was January 10, 2022.**

## **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, 2021, and December 31, 2021. Additionally, I analyzed the Hollis Police Department Policies and Practices regarding Use of Force.

In 2021, Hollis Police Officers reported 12 incidents of Use of Force. It is important to note that out of these 12 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 4 incidents where force was used in response to resistance will be discussed. It should be noted that one incident involved two officers. Following careful review of the facts and information surrounding each of the incidents involving the use and application of force, it has already been determined through administrative review that each of 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 2021, the 4 use of force incidents were divided equally with one each on Wednesday, Thursday, Saturday, and Sunday. The Hollis Police Department did not record any response to resistance incidents on Monday, Tuesday, or Friday in 2021.

As a comparison, in 2020, the instances were also 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.

## **Occurrences – Time of the Day**

Two incidents of force occurred on second shift, and two occurred on third shift. No incidents of Use of Force occurred on first shift.

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

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

3<sup>rd</sup> shift (2245-0715 hours)

It is not surprising that there were no use of force incidents on first shift, as 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 2021, 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 2021. Lack of injuries demonstrates 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 is the second consecutive year that there were no injuries reported in relation to a use of force incident.

Over the past four years, which includes 2021, 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. We have also continued regular trainings on mental health issues in the community. 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.

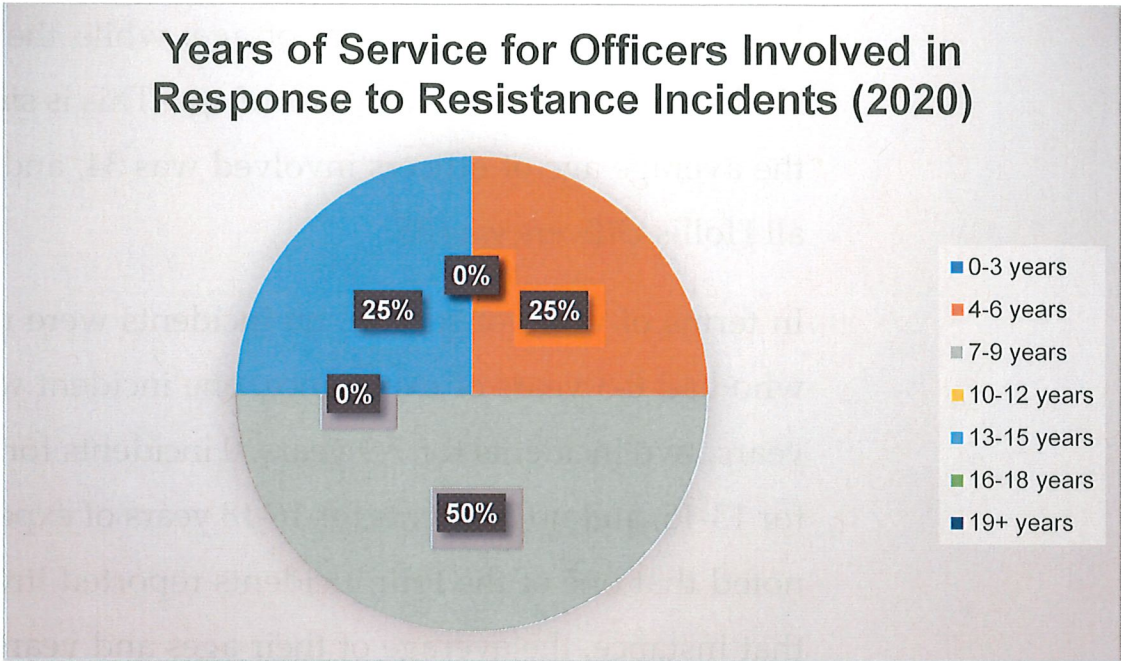
## **Age of Officers and Years of Service**

In 2021, the average age of Hollis Police Officers involved in Use of Force incidents was 35 years of age; while the average age of all Hollis Police Officers is 36 years of age. This is similar to 2020, when the average age of officers involved was 34, and the average age of all Hollis Officers was 35.

In terms of years of service, no incidents were reported by officers who had 0-3 years of experience, one incident was reported for 4-6 years, two incidents for 7-9 years, 0 incidents for 10-12, one incident for 13-15, and no incidents for 16-18 years of experience. It should be noted that one of the four incidents reported involved 2 officers. In that instance, the average of their ages and 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
0 - 3 years	0
4- 6 years	1
7 - 9 years	2
10 - 12 years	0
13 - 15 years	1
16 - 18 years	0
19+ years	0



## **Demographic Information**

**AGE:** The average age of the subjects involved in the 4 Use of Force incidents in 2021 was 41, with the oldest being 52, and the youngest being 37 years of age.

As stated above, the average age of the officers involved was 35.

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:** Males represented all use of force subjects in 2021, with no other genders represented.

All the police officers involved in use of force incidents were male as well. Our agency is composed of 88% males.

**RACE:** All suspects involved in Use of Force incidents in 2021 were White, not of Hispanic or Latino origin.

According to data retrieved from the United States Census Bureau, population estimates for Hollis indicates that 91.6% of residents are "White, alone," and statewide, 93.1% of residents are classified as "White, alone." Given these percentages, it is not surprising that use of force incidents involved only white people.

Race and Hispanic Origin	Hollis town, Hillsborough County, New Hampshire	New Hampshire
Population Estimates, July 1 2021, (V2021)	NA	1,388,992
PEOPLE		
Race and Hispanic Origin		
White alone, percent	91.6%	93.1%
Black or African American alone, percent (a)	0.8%	1.8%
American Indian and Alaska Native alone, percent (a)	0.2%	0.3%
Asian alone, percent (a)	2.3%	3.0%
Native Hawaiian and Other Pacific Islander alone, percent (a)	0.0%	Z
Two or More Races, percent	4.5%	1.8%
Hispanic or Latino, percent (b)	2.1%	4.0%
White alone, not Hispanic or Latino, percent	91.2%	89.8%

In 2021, no incidents of force were recorded involving members of the Hispanic or Latino communities. 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 2021, it is readily apparent that no minority group is subject to a disproportionate amount of force used against them.

The race of all police officers involved in the use of force incidents was white, non-Hispanic as well. This describes the race and ethnicity of our entire police force.

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

### Incident #1: Sunday, January 30th, 0318 hours

Patrol Officers responded to a neighboring community to assist with a subject who was barricaded inside a residence. It was reported that this subject had pointed a firearm at his spouse during an argument, and was refusing to exit the house for officers. The subject could be seen by officers inside the house, walking around with a firearm. Eventually, the subject agreed to come out the house. Upon exiting the residence, a Hollis Patrol Officer had his patrol rifle aimed at the subject, as it was unknown if he was still armed at this point. The subject was taken into custody without incident, and most likely did not even realize a rifle was being pointed at him. No shots were fired during this incident, and no injuries were reported.

### Incident #2: Wednesday, March 31st, 1631 hours

Two Patrol Officers responded to a Hollis residence for a reported Domestic Disturbance between a father and adult son. Officers determined that an assault had occurred, and attempted to arrest the primary aggressor. The defendant resisted arrest by attempting to pull away during the process of applying handcuffs. Each officer took hold of one of the defendant's arms, and used body weight to

restrain his movements so that handcuffing could be completed. He was then taken into custody. No injuries were reported.

Incident #3: Sunday, June 20<sup>th</sup>, 2130 hrs

Patrol Officers responded to a Hollis residence for a reported suicidal subject. This person is known to be hostile towards police, and had recently been escalating into a mental health crisis. Upon arrival, he was immediately hostile and threatening to officers. At one point he picked up a metal rod and threatened the officers with it. One officer unholstered his taser and kept it at the low ready position, as it appeared that as assault was more likely than not about to occur. The subject ultimately obeyed orders and was taken into custody without further incident. The taser was not deployed, and no injuries were reported.

Incident #4: Thursday, October 7<sup>th</sup>, 0504 hours

Officers responded to a report of someone actively breaking into cars on Alsun Drive. Officers arrived and began a search of yards and driveways in the area. A subject was located in the woods and immediately attempted to flee when he was seen by the officer. The officer gave chase, and tackled the subject, where he was taken into custody without further incident. No injuries were reported in this incident.

## **Types of Force Used**

The most common types of force used in 2021 were officers using physical force for the purposes of taking subjects into custody (two incidents). The remaining incidents involved displaying firearms and tasers to gain compliance (one incident each). No firearms or tasers were actually discharged during these incidents.

During the analysis period (January 1, 2021, through December 31, 2021), Hollis Police Officers did not utilize their Monadnock Expandable Baton or Oleoresin Capsicum spray. It should be noted that this is the fifth year in a row where we have not used any of these intermediate weapons (Tasers should be included in this as well, as they have not actually been discharged during this same time frame. They have only been displayed for compliance).

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 four incidents where Hollis Police Officers used force in response to resistance indicate that three Officers were involved. One of these incidents involved more than two officers. Two officers were involved in two incidents each, and one officer was involved in one incident.

Although the officers involved in these incidents account for nearly 20 percent of those employed by the Hollis Police Department, there does not appear to be any evidence to suggest that these three officers are over reliant on force options. Several factors were considered when making this determination. For example, all three of these officers volunteer for a large percentage of available over time shifts, resulting in more hours worked, which increases the possibility they will be exposed to more contacts that could result in force being used. It should also be noted that these officers are assigned to those shifts that historically have more instances that force is needed to effect an arrest or gain compliance.

In summary, no training issues or concerns were found relative to the officers involved in any of the use of force incidents.

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

During the course of my analysis and review of each of the four listed Use of Force incidents, I identified at least two of the incidents where officers successfully de-escalated an individual with mental health issues. While it is difficult to determine whether de-escalation tactics played a part in the other incidents, it is clear our recent trainings in de-escalation can be effective if utilized.

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 four 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, which is not alarming, as the population of Hollis, and NH in general, is primarily white. All individuals where force was used were male, 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 37-52 does not seem to show any trend or pattern.

Although no officer used any intermediate weapons such as expandable baton, OC spray, or Taser (other than displayed for compliance) in 2021, it is important to maintain proficiency in the application of the use of these response to resistance options. Our future training should continue to 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. Although we did not conduct scenario based training 2021, we did complete proficiency training in all of our force options, as well as de-escalation training. Three of our

four incidents involved either Domestic Violence related offenses or Mental Health crises. We should look to continue training our officers in dealing with those who are suffering mental health issues or crises. This is an ongoing endeavor, as we are currently seeking to send every officer to a week-long Crisis Intervention Training. Some officers have already attended, and others are being enrolled as classes become available.

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. I carefully read and reviewed this directive. It was last updated in April of 2021. The purpose of the updates at that time were only to correct a couple of minor grammatical errors. This document also covers training of officers in various weapons, inspection of department weapons, and administrative reviews of all Use of Force incidents.

This Use of Force Analysis has shown that we have been following our policy. No Use of Force incidents that occurred in 2021 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 identified and addressed in a timely manner. 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.

Use of Force Instructors attended a multi-day seminar in November, 2021. After attending this training, recommendations for a major overhaul to our Use of Force reporting form were made, and will be implemented going into 2022. The changes are intended to create a better picture of the whole scenario, and to make it easier to defend officers' actions. Key recommendations include:

- Adding fields of suspect and officer weights and heights, whether or not the subject was under the influence of any substance, or suffering from a mental health crisis.
- Fields to document any other witnesses and officers on scene.
- A field to document the officer's *perception* of the subjects actions (passive resistance, active resistance, assaultive, life threatening/serious bodily injury)

- In addition to these form revisions, it is also recommended that we utilize the Special Studies Tab in our OF/ AR reports to document the impact of de-escalation techniques. We can create questions there to help us determine our success rates with de-escalation efforts.

## **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**

Two Hollis Police Use of Force Instructors were asked to review all 4 of our 2021 use of force incidents. Our third instructor was directly involved in two of the incidents, so he was not consulted. Both 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 "I assisted him to his feet," or "he was verbally aggressive" 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. These same suggestions were made in the previous year as well. This topic was covered in great detail during training in December of 2021, so improvements are anticipated. It should be noted that in the officer's report narratives, the descriptions are more thorough; these descriptions just need to be carried over to the use of force reporting forms.

## **Summary**

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

- There were 12 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 41 years of age.
- The average age of Hollis Police Officers involved in Use of Force incidents was 35 years of age.
- The average age of all Hollis Police Officers is 36 years of age.

- All 4 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 several more categories.
- It is recommended that we utilize our special studies tabs to monitor the effectiveness of de escalation techniques.
- 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: January 10, 2022.

Signature: Brendan LaFlamme

Review/ Approved by Chief of Police:

Joseph R. Hoebeke, Chief of Police

Signature: Joseph R. Hoebeke, CHIEF OF POLICE

Date: 17 JANUARY 2022

