

Use of Force Analysis

JANUARY 1, 2022 - DECEMBER 31, 2022

“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

Tel (603) 465-7637
Fax (603) 465-7808

9 Silver Lake Road
Hollis, NH 03049

www.hollisnh.org/police/
police@hollisnh.org

Table of Contents

Contents

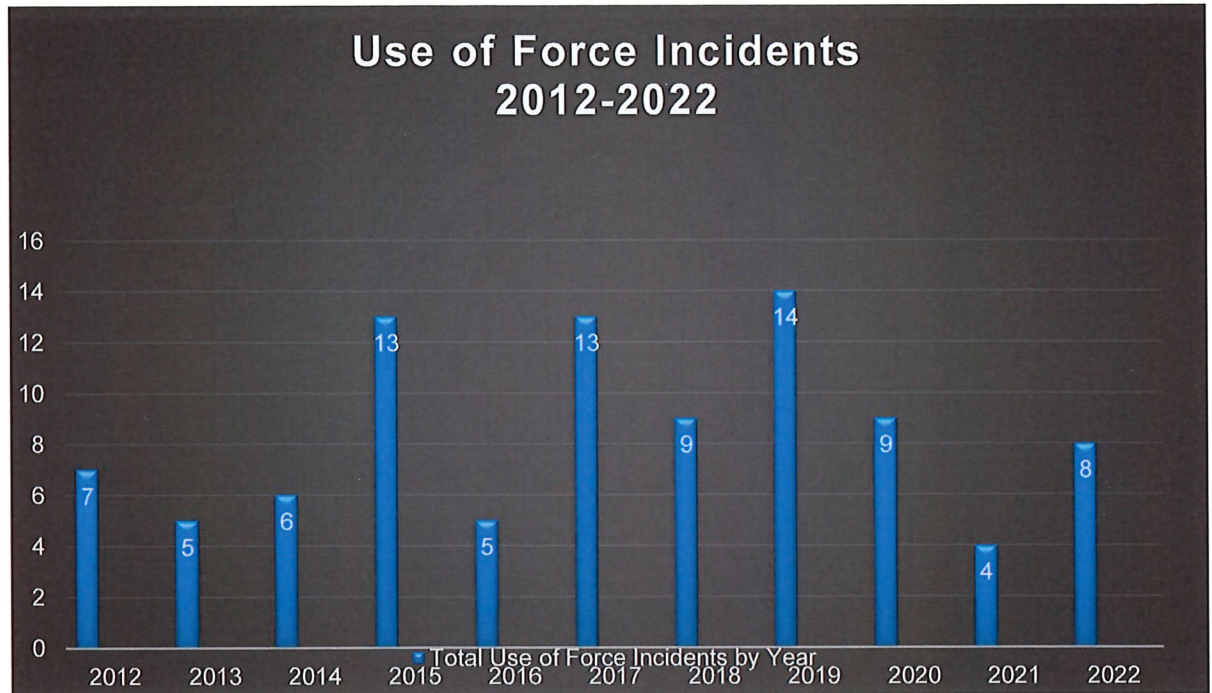
Overview	1
Occurrences – Day of the Week	2
Occurrences – Time of the Day	3
Injuries	4
Age of Officers and Years of Service	5
Demographic Information	8
Background Information and Reasons for Force Being Used	9
Types of Force Used	14
Personnel Summary	14
Impact of Findings on Training Issues	15
Impact of Findings on Policy and Practices	18
Impact of Findings on Equipment	19
Instructor Review	20
Summary	20
Administrative Review	22

This report was completed by Captain Brendan LaFlamme, Operations Bureau Commander. The date of completion was January 25, 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, 2022, and December 31, 2022. Additionally, I analyzed the Hollis Police Department Policies and Practices regarding Use of Force.

In 2022, Hollis Police Officers reported 8 incidents of Use of Force. Although we reported 8 incidents of Use of Force, it is important to note that four of these incidents involved more than one officer (2 incidents involved 2 officers; 2 involved 3 officers). 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.

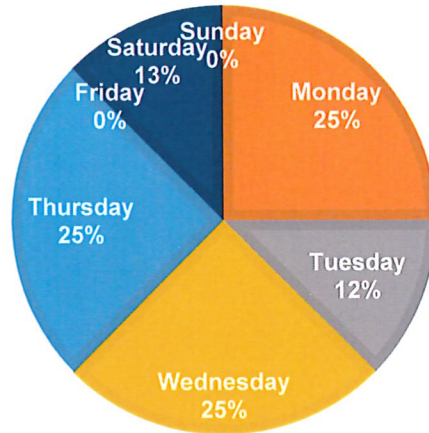


Occurrences – Day of the Week

For 2022, there were no instances of force used on Fridays or Sundays. Mondays, Wednesdays, and Thursdays each had 2 instances of force used, and Tuesdays and Saturdays each had one instance of application of force.

2022 USE OF FORCE INCIDENTS - BY DAY OF WEEK

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



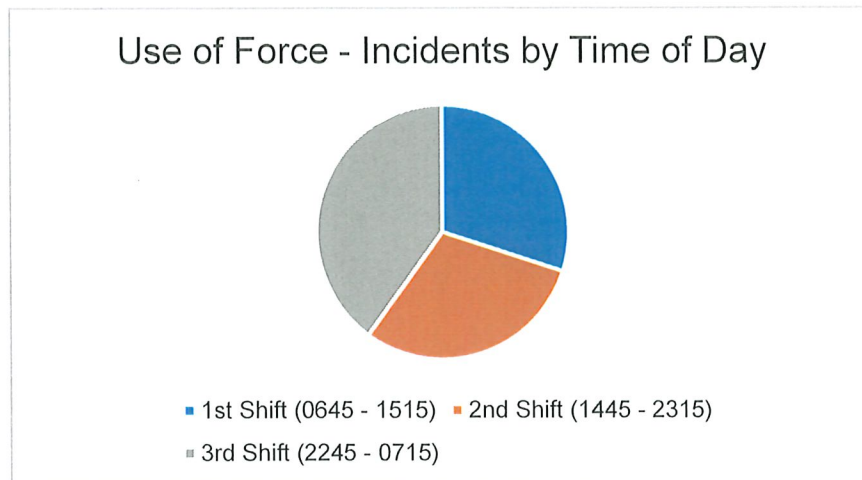
Occurrences – Time of the Day

Our incidents involving the application of force in 2022 were spread essentially equally throughout all three shifts. First and Second shift each had 3 incidents, with third shift having 2.

1st shift (0645-1515 hours)

2nd shift (1445-2315 hours)

3rd shift (1445-0715 hours)



It is not surprising that there were less use of force incidents reported on 3rd. Hollis is known as a “bedroom community,” in which there are no night time businesses open, and no traditional nightlife activities. Because of these factors, Officers come into contact with far fewer individuals on 3rd shift, which translates into fewer chances of force being used.

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 2022, there were no instances of force usage resulting in injury to a suspect/detainee, although in one UOF report, Officers noted that

a detainee sustained red marks on her wrists from handcuffs. These marks were photographed and added to the corresponding arrest report. Additionally, no employees were injured in use of force incidents. 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 is the third consecutive year that there were no injuries reported in relation to a use of force incident.

Over the past five years, which includes 2022, 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, continues to have a positive effect on the number of responses to resistance incidents that result in a suspect/detainee and/or officer sustaining injuries. Additionally, the vast majority of our officers are dedicated to personal physical fitness training and maintaining good health, which helps reduce the likelihood of injury during a force incident.

Age of Officers and Years of Service

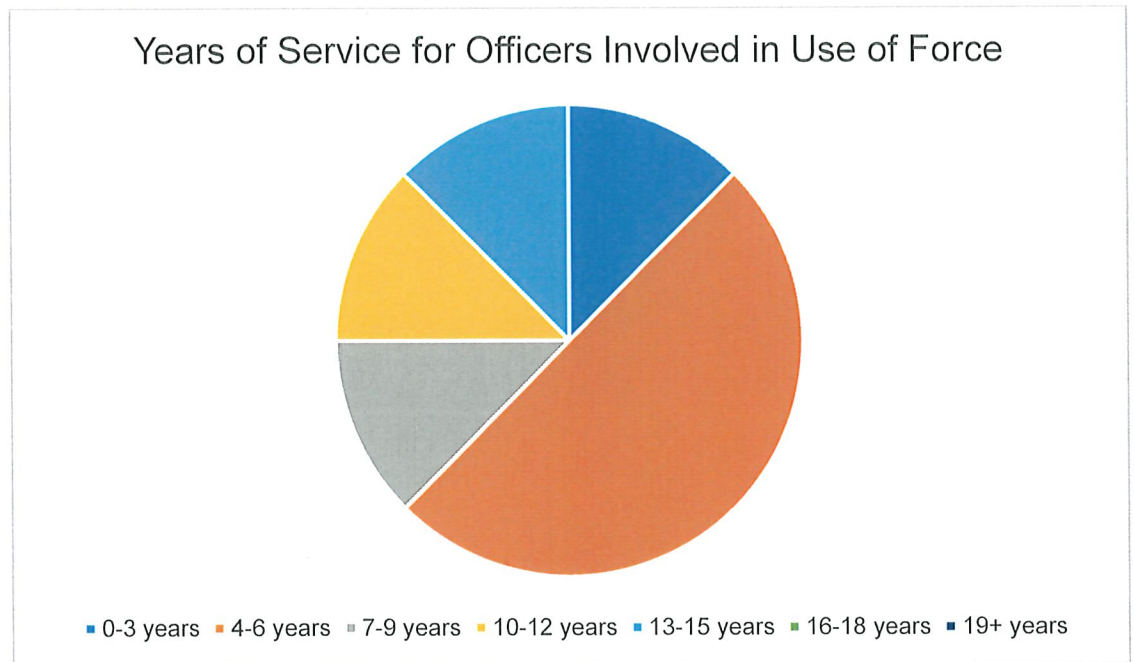
In 2022, the average age of Hollis Police Officers involved in Use of Force incidents was 33 years of age; while the average age of all Hollis Police Officers is 37 years of age. This remains fairly consistent with previous years, although the average age is rising yearly. This

is attributed to the fact that the Hollis Police Department has been fortunate to retain officers over the past several years, meaning that the agency as a whole is aging with less turnover.

Year	Avg. Age of Officers at HPD	Avg. Age of Officers Involved in UOF
2019	34	33
2020	35	34
2021	36	35
2022	37	33

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

Demographic Information

AGE: The average age of the subjects involved in the 8 Use of Force incidents in 2022 was 51, with the oldest being 84, and the youngest being 36 years of age.

When comparing ages to previous years, these numbers are slightly higher. This is due to the fact that force was used on two subjects who were older than those that we typically use force on (aged 69 and 84).

GENDER: Force was used on 5 males and 3 females in 2022. All officers involved in Use of Force incidents in 2022 were males. It should be noted that for most of 2022, the HPD was comprised of 14 male officers, and 2 female officers. A third female officer was hired on December 19, 2022, but did not respond to any calls in 2022 as a sworn officer.

RACE: 6 Suspects involved in use of force incidents were white, 1 was black, and 1 was Asian. All officers involved in Use of Force incidents in 2022 were white. It is worth noting that 100% of sworn officers at the Hollis Police Department are white.

According to data retrieved from the United States Census Bureau, population estimates for Hollis indicate 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 mostly 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 2022, 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 at the race and ethnicity of all those involved in the use of force incidents recorded in 2022, 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: Wednesday, March 9th, 0505 hours

A Patrol Officer attempted to make a motor vehicle stop for a speeding violation. The vehicle did not immediately stop, and continued on at a slow rate of speed for approximately 2 miles.

During this time, multiple offenses were observed, and it was apparent the driver was purposely ignoring the officer's signals to pull over. When the vehicle finally did pull over, the officer conducted a felony stop, with his department issued firearm displayed. The driver was taken into custody without incident. No shots were fired during this encounter, and no injuries were reported.

Incident #2: Thursday, April 14th, 1300 hours

A patrol officer reported that a vehicle had just fled from him at a high rate of speed on Proctor Hill Rd. No pursuit was initiated due to several HPD policy guidelines on pursuing vehicles. The vehicle was seen a short time later in a parking lot near Four Corners by another officer. The vehicle fled from the second officer, heading westbound on Proctor Hill Rd. No pursuit was initiated, but the officer continued on, attempting to keep the vehicle in his sight. The vehicle lost control and crashed into a utility pole. Three officers arrived at the crash scene and observed the driver making furtive movements within the vehicle. All three officers drew their department issued firearms and gave verbal commands to the driver. He exited his vehicle and was taken into custody. No shots were fired and no injuries were reported during this incident.

Incident #3: Saturday, May 14th, 1330 hrs

A patrol officer took a subject into custody based on Involuntary Emergency Admission (IEA) paperwork. She was transported to a local hospital, where she became verbally and physically abusive with hospital staff. A determination was made that medical sedation was necessary. As hospital staff was trying to administer the medication, the patient became extremely combative. The officer took hold of her legs to prevent her from kicking the hospital staff and held them until such time as the medication was administered. No injuries were reported as a result of this incident.

Incident #4: Wednesday, July 14th, 1800 hours

Two Officers responded to a disturbance at a public boat launch. Upon arrival, they discovered two intoxicated individuals that were allegedly causing the disturbance. Ultimately, they were both charged with various offenses. When officers attempted to take one of them into custody, the defendant actively resisted. Officers had to use an empty hand restraint technique to physically take him to the ground in order to take him into custody. The subject did not complain of any injuries, however an ambulance was called for an examination, out of an abundance of caution by the officers. The subject refused medical treatment.

Incident #5: Thursday, October 20, 0030 hours

Two officers responded to a Domestic Violence incident at a residence. After an initial investigation, they were able to identify the primary aggressor, at which point they made the determination that she would be charged with Domestic Violence. Prior to taking her into custody, the defendant became extremely belligerent and challenged the officers to a fight. Officers spent a significant amount of time trying to calm the situation, with no success. Eventually the subject charged at the officers. She was escorted to the ground with open hand control techniques where she continued to resist the officers. She was taken into custody and evaluated by EMS prior to transportation to the station for processing. No injuries were reported, however she sustained red marks on her wrists from the handcuffs. These marks were photographed and attached to the corresponding arrest report.

Incident #6: Monday, November 21st, 1914 hrs

Officers responded to a local Bed and Breakfast to take a subject into custody based on an incident that had recently occurred in Manchester NH. The defendant was taken into custody without incident and transported to the Hollis Police Department for processing. Once he exited the rear of the cruiser at the station, he began threatening the arresting officer and, although handcuffed, he charged at the Officer and slammed into him multiple times. The Officer used a defensive blocking maneuver to push the subject away

and create space. He was then able to take control of the subject and get him into the booking room. No injuries related to this incident were reported.

Incident #7: Tuesday, November 29th, 1345 hrs

Officers responded to a Domestic Violence incident at a residence. They identified an elderly woman as the primary aggressor, and realized that there were some mental health issues involved as well. Officers attempted to take her into custody, at which point she actively resisted their efforts. Officers used empty hand restraint techniques to gain control her. She was taken into custody and checked by EMS prior to transporting to the station. After processing, she was transported to a local hospital for mental health treatment. No injuries were reported as result of this incident.

Incident #8: Monday, December 12th, 2130 hrs

Patrol Officers were notified of a reported stolen vehicle that was potentially driving in Hollis. Upon locating the vehicle, a Hollis officer attempted to conduct a motor vehicle stop. The vehicle fled, which initiated a pursuit. Eventually the vehicle turned down a dead-end road, where the driver had no choice but to stop. The pursuing officer conducted a felony stop with his department issued firearm drawn and pointed at the driver. The driver was taken into

custody without incident at this point. No shots were fired and no injuries were reported.

Types of Force Used

The most common type of force used in 2022 were officers using physical force for the purposes of taking subjects into custody (5 incidents). The remaining 3 incidents involved displaying firearms to gain compliance. No firearms were actually discharged during these incidents.

During the analysis period (January 1, 2022, through December 31, 2022), Hollis Police Officers did not utilize their Monadnock Expandable Baton, Taser, or Oleoresin Capsicum spray. It should be noted that this is the sixth year in a row where we have not used any of these intermediate weapons (Although Tasers have been displayed for compliance in previous years, they have not actually been discharged).

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

Personnel Summary

An analysis of the 8 incidents where Hollis Police Officers used force in response to resistance indicate that 8 Officers were involved. Due

to multiple officers being involved in some of these instances, we see three officers being involved in multiple different Use of Force incidents. One officer was involved in 4 incidents, and two officers were involved in 2 incidents each. The remaining five officers were all involved in just 1 incident each.

There does not appear to be any evidence to suggest that the officers involved in multiple instances of use of force are over reliant on force options. Several factors are considered when making this determination. For example, all three of these officers volunteer for a large percentage of available overtime 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 all currently assigned to the patrol division, so they are responding to more calls for service than anyone else.

In summary, no training issues or concerns were found relative to the officers with the most use of force incidents in 2022. 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 eight listed Use of Force incidents, I identified only one instance where additional training was found to be appropriate. In that particular

instance, the officer acted within policy. The issue at hand was the fact that he could have used force sooner than he did to gain control of a subject who was combative. After reviewing the situation with the officer, it was determined that there was some uncertainty on the officer's part as to how much, and the type of force, that he could use. This was a newer officer that had not experienced this type of incident yet. After remediation, he has a much better understanding of what his options were.

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 eight 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. Nearly all suspects were white, which is not alarming, as the population of Hollis, and NH in general, is primarily white. There does not appear to be any direct correlation between gender and amount of force used. As for age of suspects, the range of 36-84 does not seem to show any trend or pattern. It is certainly unusual to receive active resistance from an 84-year-old female subject, but the officers involved maintained control of the situation at hand without injuring her.

Although no officer used any intermediate weapons such as expandable baton, OC spray, or Taser in 2022 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. In addition to several officers participating in a Virtual Reality (VR) scenario based training in 2022, we also completed proficiency training on our use of force options as scheduled, as well as de-escalation training. All eight of our Use of Force incidents in 2022 involved either Domestic Violence, Substance Misuse, a Mental Health Crisis, or a combination of these. In 2022, we completed a goal to have ALL officers attend a 40-hour long Crisis Intervention Training. Officers are encouraged to incorporate the lessons received in this training in their efforts to deescalate any situation. Moving forward, we should strive to send any newly hired officer to this training as well.

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 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.

This Use of Force Analysis has shown that we have been following our policy. No Use of Force incidents that occurred in 2022 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 our policy.

Use of Force Instructors attended a multi-day Use of Force Summit in November, 2021. After attending this seminar, recommendations for a major overhaul to our Use of Force reporting form were made, which were implemented starting January 2022. The changes were intended to create a better picture of the whole scenario, and to make it easier to defend officers' actions. These changes accomplished that goal, as the new reports were much easier to review and examine during this analysis than on previous years, leaving no question in regards to the whole scenario.

It is recommended that a couple of additional fields be added to these new reports. The fields are for administrative purposes only, intended to make preparing these yearly analysis reports more efficient. It is recommended that fields for officer years of experience, and age be added, as well as a field for ethnicity. These fields will save a significant amount of time when compiling data for these reports

Impact of Findings on Equipment

In 2022, it was discovered that general maintenance of equipment was lacking. Taser batteries were found to be very low, as well as OC canisters reaching their expiration date. To address this, changes were made to the monthly reports for officers. Sergeants now are including inspection of these items in their monthly report/inspections of their assigned officers. We now have the

ability to anticipate scheduled OC and Taser cartridge equipment replacement throughout our ranks.

Instructor Review

This Use of Force Analysis was reviewed by three members of the Hollis Police Department who serve as in house instructors on Use of Force. Instructors were in agreement that all instances of Use of Force in 2022 were justified and in compliance with policy and statute.

Use of Force instructors noted that in some of the Use of Force reports, descriptions of the force used could have been given greater detail. Examples include “escorted to the ground” and “secured from behind.” These terms do not provide a clear picture of what happened and could lead to questions and speculation by the reader, or leave a window for claims of excessive or inappropriate force usage. Instructors noted that this was also suggested in our 2021 Use of Force Analysis, and that the 2022 reports did show an improvement in this area. Aside from some minor grammatical and formatting suggestions, no other suggestions were made by the instructors.

Summary

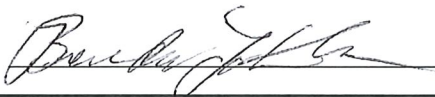
In summary, the bulleted items below are identified as critical components of this analysis:

- There were eight Use of Force incidents requiring completion of a Use of Force Report.
- No suspects were injured as a result of the application of force.
- No officers were injured during any of the Use of Force incidents.
- The average age of suspects involved in Use of Force incidents was 51 years of age.
- The average age of Hollis Police Officers involved in Use of Force incidents was 33 years of age.
- The average age of all Hollis Police Officers is 37 years of age.
- All 8 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 21st Century Policing. No changes are recommended.

Administrative Review

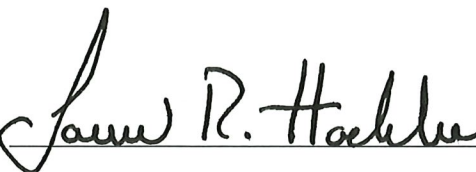
Report completed by Captain Brendan LaFlamme,
Operations Bureau Commander, Hollis Police Department.

Date of Completion: January 25, 2023

Signature: _____

Review / Approved by Chief of Police:

Joseph R. Hoebeke, Chief of Police

Signature: _____

Date: 25 JANUARY 2023