

# Use of Force Analysis

**JANUARY 1, 2018 - DECEMBER 31, 2018**

*"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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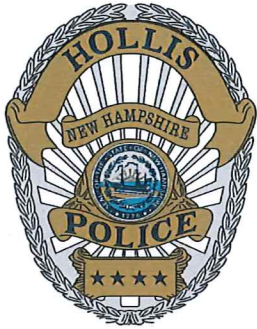
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**This report was completed by Lieutenant Brendan LaFlamme,  
Operations Bureau Commander. The date of completion was  
January 24, 2019.**

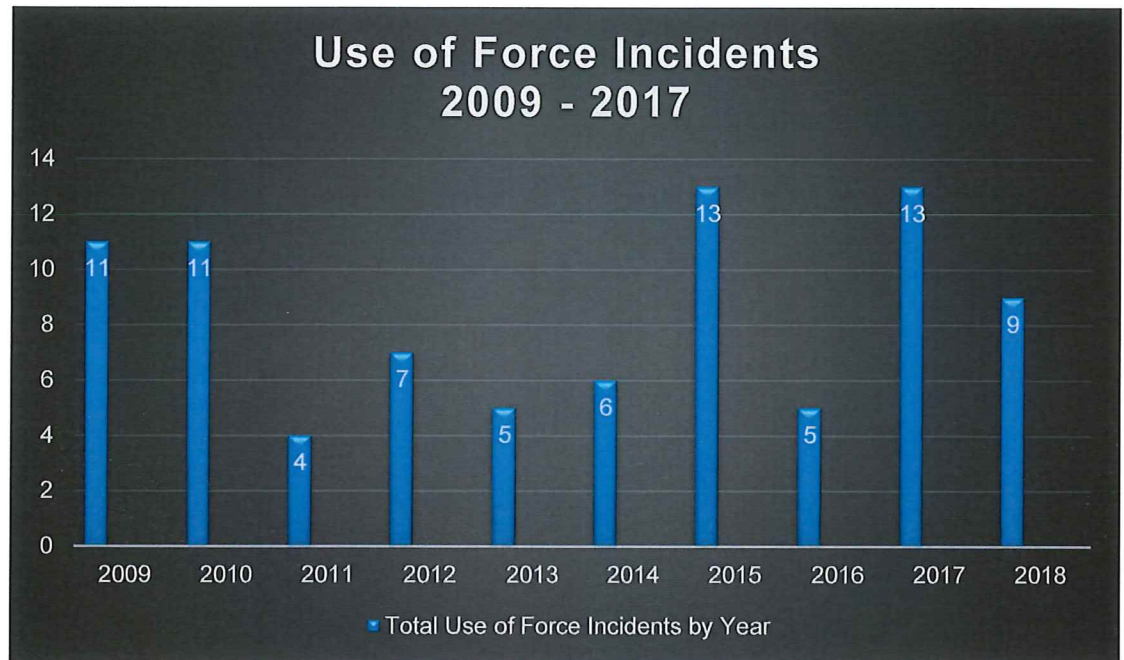


## Overview

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, 2018, and December 31, 2018. Additionally, I analyzed the Hollis Police Department Policies and Practices regarding Use of Force.

In 2018, Hollis Police Officers were involved in 9 incidents where force was used to effect an arrest or to control an individual; this is a decrease of 4 incidents, when comparing 2017 and 2018 data. 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 2018, Hollis Police Officers were involved in 9 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 9 of these incidents were reviewed and found to be in compliance with policy.

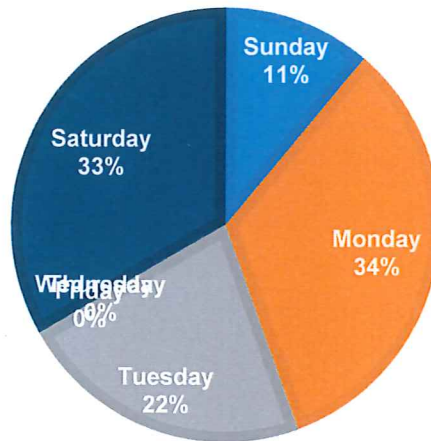


### Occurrences – Day of the Week

Mondays and Saturdays had the highest number of use of force incidents out of any other days (three incidents each). Two incidents occurred on Tuesdays, and one incident occurred on a Sunday. No use of force incidents were reported on Wednesday, Thursday, or Friday.

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

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



When compared to 2017 data on the days of the week during which Use of Force incidents seem to occur the most, Saturday continues to be one of the leading days for Use of Force. This is not surprising as Saturdays tend to be busy for police activity and we often have additional personnel on during weekends. This increases police contacts with the community. Other than this commonality, no other trend or pattern can be seen by comparing what days Use of Force incidents tend to occur on.

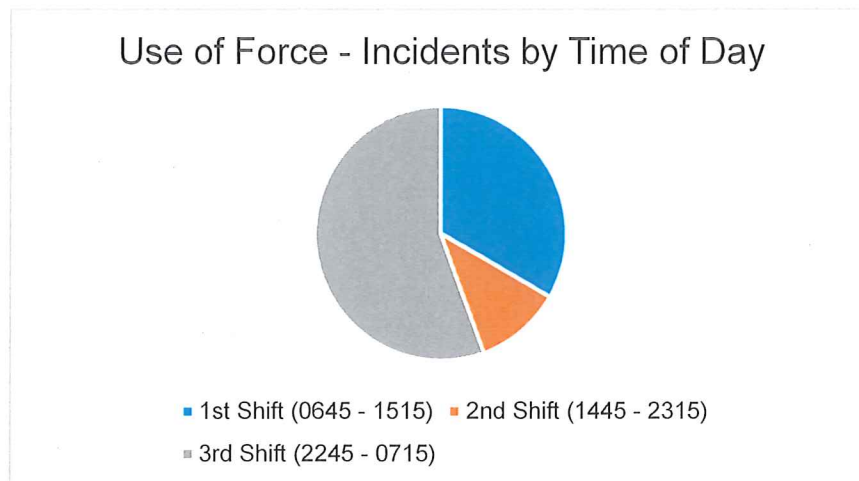
### Occurrences – Time of the Day

The 9 incidents of Use of force occurred during the course of all three shifts. There were five on third shift, three on first shift, and one 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.



When compared to 2017 data, there was a similar amount of Use of Force incidents; however, the data on what time they occur is quite different from last year. 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 2018, there was only one instance of Use of Force in which a suspect sustained an injury. In this instance, an Officer arrested a male operator for DWI. The female passenger became unruly and was subsequently arrested for disorderly conduct. She resisted arrest and was taken to the ground by way a defensive take down. She struck her face on the ground, at which time she sustained a cut to her lip. The officer requested medical treatment for the arrestee. Once the ambulance service arrived, however, she declined further medical treatment.

No Officers sustained any injuries during Use of Force incidents in 2018.

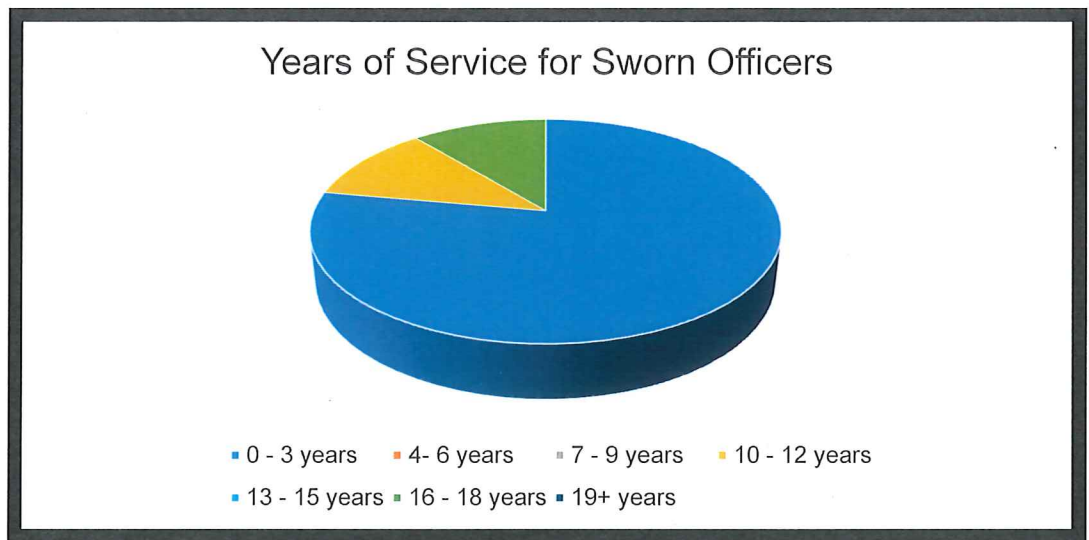
This statistic is nearly identical to 2017, when we experienced one minor abrasion type injury to a female suspect as well during a takedown maneuver.

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. Additionally, we have a new Defensive Tactics instructor on the Department who has received the latest techniques and training to share with other officers.

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

In 2018, the average age of Hollis Police Officers involved in Use of Force incidents was thirty-two years of age; while the average age of all Hollis Police Officers is thirty-four years of age.

In regards to years of service, 7 Use of Force Incidents were reported by officers with 0-3 years of experience, 0 incidents were reported for 4-6 years, 7-9 years, and 13-15 years of experience. 1 incident was reported for officers having 10-12 years of service, and 1 was reported by officers with 16-18 years of service. 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	
0 - 3 years	7
4- 6 years	0
7 - 9 years	0
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 9 Use of Force incidents in 2018 was 26, with the oldest being 48, and the youngest being 14 years of age.

Of the two females who had forced used against them, one was 27 and one was 48 years old. The average age of females involved in Use of Force incidents was 37 years old.

Of the seven males who had force used against them, the youngest was 14 and the oldest was 43. The average age of male suspects is 22 years old.

When compared with 2017 statistics, the above numbers remain very consistent in terms of age of suspects who are involved in Use of Force incidents.

**GENDER:** Force was used on 2 females and 7 males. It should be noted that one female suspect had force used on her on two separate and distinct instances during the same police contact. Additionally, one of the incidents involved two male subjects in the same single incident. See above AGE category for the breakdown of male and female average ages.

When compared with 2017 statistics (9 males/3 females), the above numbers appear very consistent with the previous year in terms of gender of people involved in Use of Force incidents.

**RACE:** All suspects involved in Use of Force incidents were Caucasian. This is similar to our statistics from 2017, where all our instances of Use of Force also involved all Caucasian suspects with the exception of one Asian suspect.

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 2018, 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, where we did not have any Use of Force incidents with Latino or Hispanic suspects.

The United States Census Bureau provides the following data relative to the population of individuals who are of Hispanic or Latino 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: Monday, July 16, 0900 hrs**

Multiple officers executed a search warrant at a residence on Brown Ln. This residence is known to have many firearms contained

inside. The occupants of the home were ordered outside at gun point. Firearms were displayed for compliance purposes.

Incident #2: Saturday, August 11, 0030 hrs

[REDACTED] responded to Brookline via a mutual aid request, to assist with a standoff at a residence. It was reported that a firearm had been discharged inside a residence. Both Hollis Officers were assigned to areas of the perimeter where they displayed their firearms for compliance purposes. Two males were subsequently taken into custody without incident.

Incident #3: Saturday, August 11, 0500 hrs

This incident is directly connected to incident #2, listed above. One of the subjects that had been taken into custody, refused to comply with lawful orders after being placed in handcuffs. He attempted to flee from [REDACTED] who used an arm restraint technique to gain control of the subject, and escorted him to the ground.

Incident #4: Tuesday, 8/21, 0500 hrs

[REDACTED] made an arrest for DWI. A female passenger became disorderly and refused several orders to change her behavior. [REDACTED] advised her that she was under arrest. She resisted arrest and was taken to the ground with an arm bar

take down, where she was taken into custody. She sustained a small cut to her lip when striking the ground.

Incident #5: Tuesday, August 21, 0830 hrs

This incident is directly related to #4, above. While at the station, in a holding cell, the defendant became uncontrollable, and was attempting to hang herself in the cell. She had to be removed from the cell. Multiple officers were involved. Arm restraint techniques and leg restraint techniques were used to remove her from the cell and secure her to an ambulance stretcher.

Incident #6: Monday, August 27, 2300 hrs.

Officer Ilges and [REDACTED] responded to a Depot Rd address in regards to a call that reported a 14 year was making claims that he would shoot anyone that came near his house. A perimeter was established, contact by phone was made, and the 14-year-old was ordered out of the house at gun point. Firearms were displayed for compliance purposes.

Incident #7: Monday, November 5, 1719 hrs

[REDACTED] responded to a report involving a subject attempting suicide. The subject fled on foot. It was unknown on whether or not the subject had a weapon. [REDACTED] displayed a firearm for

compliance, at which point the subject was taken into custody without incident.

Incident #8: Saturday, November 17, 2018 0055 hrs

[REDACTED] was assisting [REDACTED] with booking a DWI suspect. While meeting with the bail commissioner, the defendant was becoming more and more agitated as time went on. He ultimately got into a defensive, bladed stance, and picked up a pen off of the counter. [REDACTED] noticed these signs of aggression and removed the pen from the defendant's hand. The defendant then attempted to walk around the booking room freely. [REDACTED] stopped him from doing so by using soft hand techniques to keep him in place.

Incident #9: Sunday, December 23, 0903 hrs

[REDACTED] responded to Pepperell (MA) to assist with a disorderly woman that was suffering from some type of mental health issue. After much coaxing, she agreed to an ambulance ride to be evaluated at a local hospital. She attempted to flee after seeing the stretcher. [REDACTED] and a Pepperell Officer had to physically restrain her and place her onto the stretcher. She was then secured to the stretcher and transported to the hospital.

## **Types of Force Used**

The most common types of force used in 2018 were officers using physical force in an attempt to gain compliance and/or control a subject, and use of firearms. It should be noted in all firearms related instances, no discharges occurred. All were displayed for compliance purposes.

During the analysis period (January 1, 2018, through December 31, 2018), Hollis Police Officers did not utilize their Monadnock Expandable Baton, Oleoresin Capsicum spray, or Taser CEW. It should be noted that this is the second 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 displayed for compliance and safety purposes, as mentioned above.

## **Personnel Summary**

An analysis of the 13 incidents where Hollis Police Officers used force on other people show that [REDACTED] was involved in 3 of the 9 Use of Force incidents. This was the most amount of any single officer. Each of the three examples were very different, and two of the three involved other officers as well. A careful review of each incident determined each was justified. Additionally, [REDACTED] is a proactive officer who produces

a lot of police activity. It should be noted one use of force was at the request of a neighboring town who were trying to secure an armed subject. Another Use of Force involved doing a cell extraction under the direction of a supervisor at the Hollis Police Department for the defendant's own safety. [REDACTED] has recently attended Defensive Tactics instructor training, and there is no reason to believe that he needs any kind of intervention regarding his uses of force.

### **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, which is not alarming, as the population of Hollis, and NH in general, is primarily white. Two thirds of the Use of Force Incidents involved males. Only two female subjects 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 14-48 is fairly similar to the age range of suspects from 2017, and does not show any trend or pattern.

Although no officer used any intermediate weapons such as expandable baton, OC spray, or Taser in 2018, 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 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 October 2018. 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 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 Taser, OC Spray and Expandable Batons remain inspected, in good repair and available to all officers. Our recent Firearm transition to a different model duty handgun was not necessitated by Use of Force issues. No weapons changes or additions are recommended based on this Use of Force analysis.

### **Summary**

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


- There were nine (9) Use of Force incidents requiring completion of a Use of Force Report. This excludes animal euthanizations.
- One (1) suspect was injured, with a cut to her lip.
- No officers were injured during any of the Use of Force incidents.
- The average age of suspects involved in Use of Force incidents was 26 years of age.
- The average age of Hollis Police Officers involved in Use of Force incidents was 32 years of age.
- The average age of all Hollis Police Officers is 34 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.

## **Administrative Review**

Report completed by Lieutenant Brendan LaFlamme,

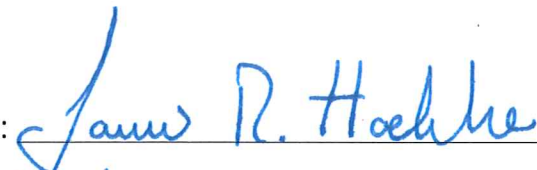
Operations Bureau Commander, Hollis Police Department.

Date of Completion: January 24, 2019

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

Review/ Approved by Chief of Police:

Joseph R. Hoebeke, Chief of Police

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

Date: 1/24/2019\_\_\_\_\_