

Response to Resistance or Aggression Reports

Response to resistance reports capture information relative to the circumstances surrounding an officer's use of force. Upon completion, response to resistance reports are submitted for two levels of review, first to the immediate supervisor and then to the appropriate Bureau Captain. The review process determines if the use of force was within policy.

Annual Review

The Burleson Police Department, by policy (1.3.13), conducts an annual analysis of response to resistance or aggression incidents to determine if there are patterns or trends, which may suggest a need for training, equipment, or revisions in policy and or practice.

Policy

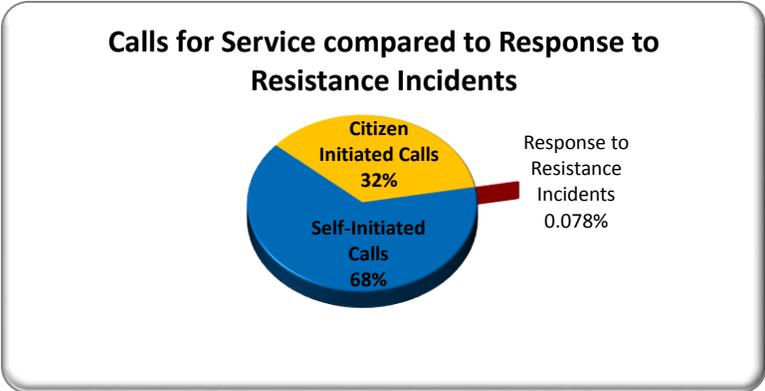
By policy (04-003H,I,J) each time a Burleson police officer uses force as listed below the officer is required to complete a response to resistance report.

1. They use the following force type(s):
 - a. Hard empty hand control
 - b. Less lethal defensive weapons
 - c. Deadly force
2. They discharge a firearm, either intentionally or accidentally (other than during a training course or for recreational purposes). [\[1.3.6\(a\)\]](#)
3. They use force that results in physical injury or death to a person. This does not include **minor** redness, scratches, abrasions, or transient pain associated with grasping, handcuffing, pressure points, joint manipulation, or non-forceful takedowns. [\[1.3.6\(b\)\(c\)\(d\)\]](#)
4. The use of physical force capable of causing non-visible injury that results in the complaint of non-transient pain shall be documented with a Response to Resistance report.

As discussed in the summary of the 2016 Response to Resistance Analysis the use of force policy underwent a considerable overhaul that adjusted the reporting criteria and the procedures for reporting response to resistance incidents. As a result, there was a significant reduction in the number of response to resistance reports written in 2017.

Incidents

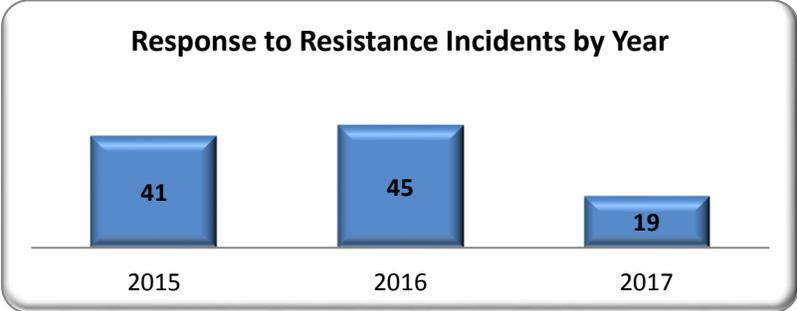
In 2017, Burleson Police Officers generated 29 Response to Resistance Reports. Those reports were completed by 18 officers documenting 19 response to resistance incidents in which force was directed toward 17 subjects (two incidents involved the destruction of injured animals). In comparison, Burleson Police Officers responded to 51,296 calls for service during 2017. 32,883 self-Initiated calls and 18,413 citizen initiated calls.



In 2017, response to resistance incidents occurred at a rate of approximately one for every 2,700 calls for service.

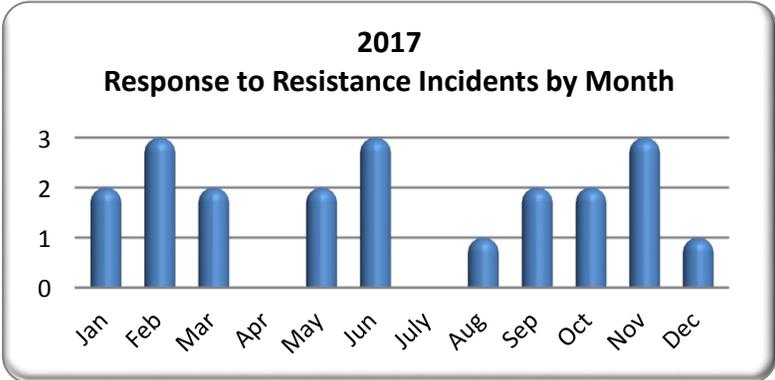
Incidents by year

Although the number of response to resistance incidents remained relatively consistent between 2015 and 2016, the significant decrease in 2017 was attributed to a change in policy requiring the documentation of force used at or above hard empty hand control.

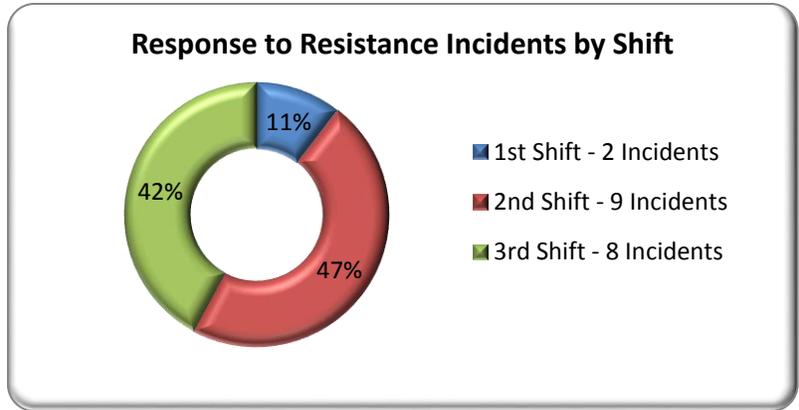


Incidents by Day, Time, Month, Shift

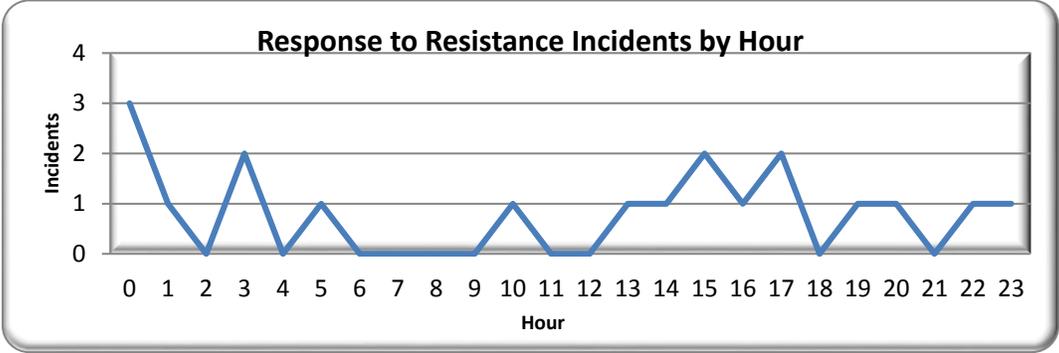
No clear patterns emerged from month to month and no parallels were noted from year to year.



The majority of the Response to Resistance Incidents occurred on second shift. There were no correlations noted between individual officers, shifts, and number of response to resistance incidents.

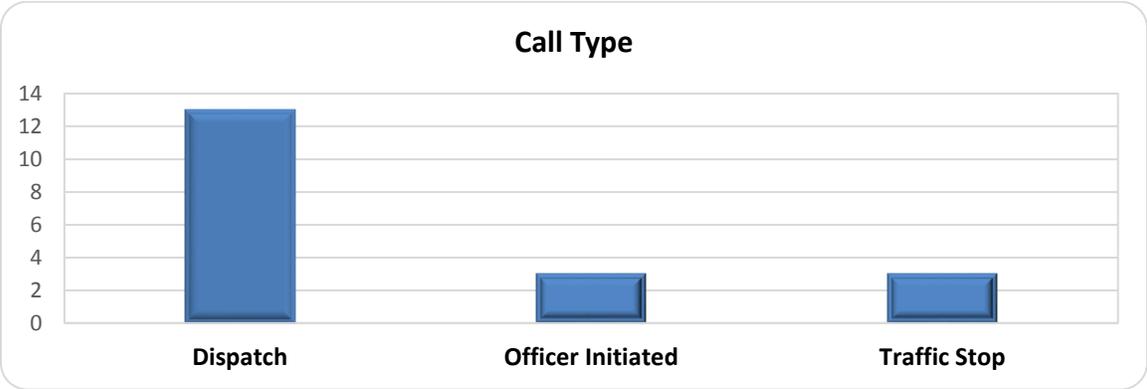


The highest number of response to resistance incidents occurred between Midnight and 1am. Consistent with 2015 and 2016 the majority of response to resistance incidents (16) occurred between 3pm and 6am. This seems to correlate with citizen-initiated calls, which were the primary call type to precede response to resistance incidents in 2017.

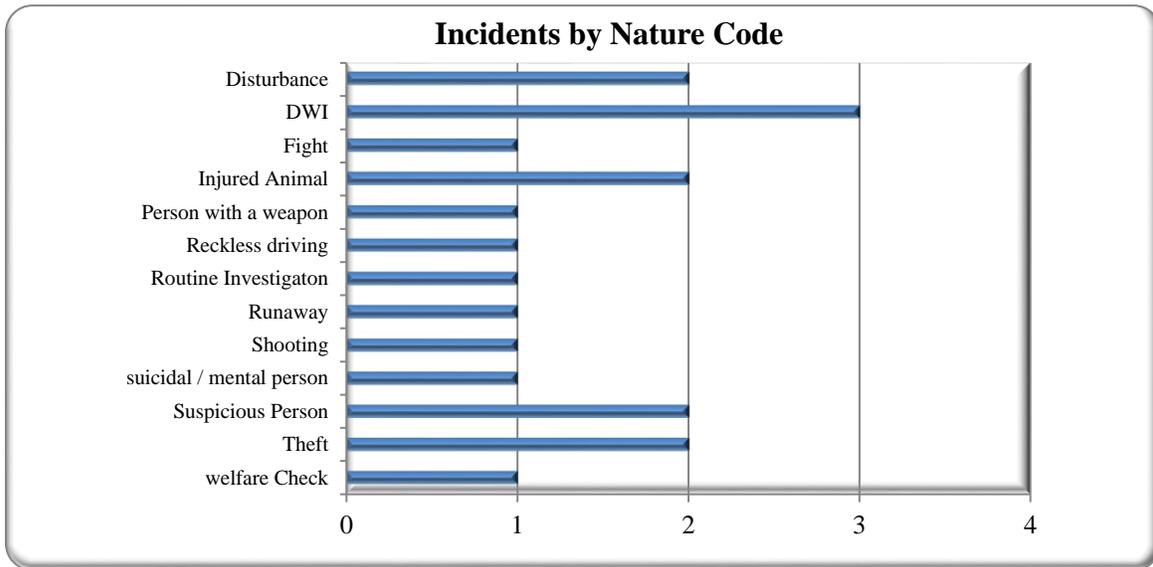


Incidents by call type, nature, and location type

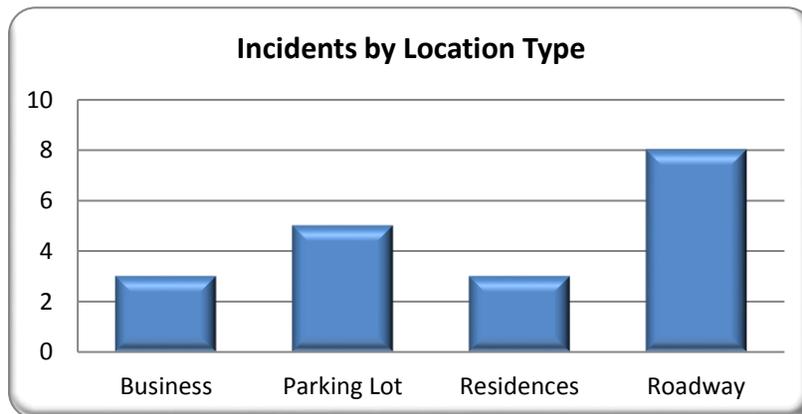
Dispatched calls accounted for 68% of the response to resistance incidents in 2017.



DWI was the top nature code associated with response to resistance incidents in 2017.

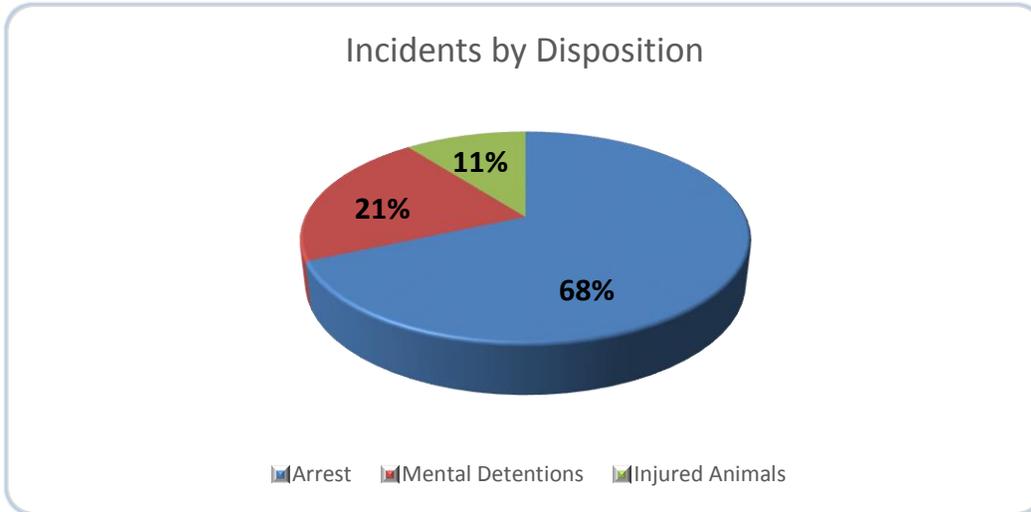


Roadway continued to be the most common location for a response to resistance incidents to occur in 2017.

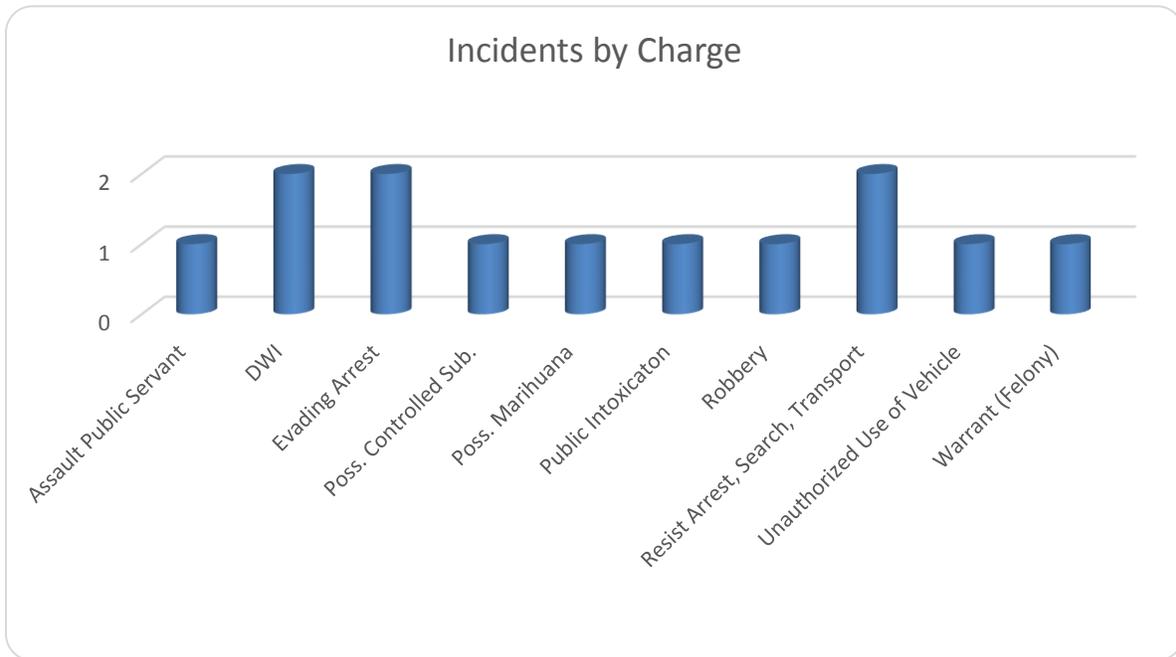


Incidents by disposition

Of the 1082 arrest made by Burluson Police Officers in 2017, roughly 1.2 percent (13) resulted in a Response to Resistance Reports. The arrests were split almost evenly with seven misdemeanors and six felonies. In the remaining six incidents, four were mental commitments, and two were the destruction of a suffering animal.

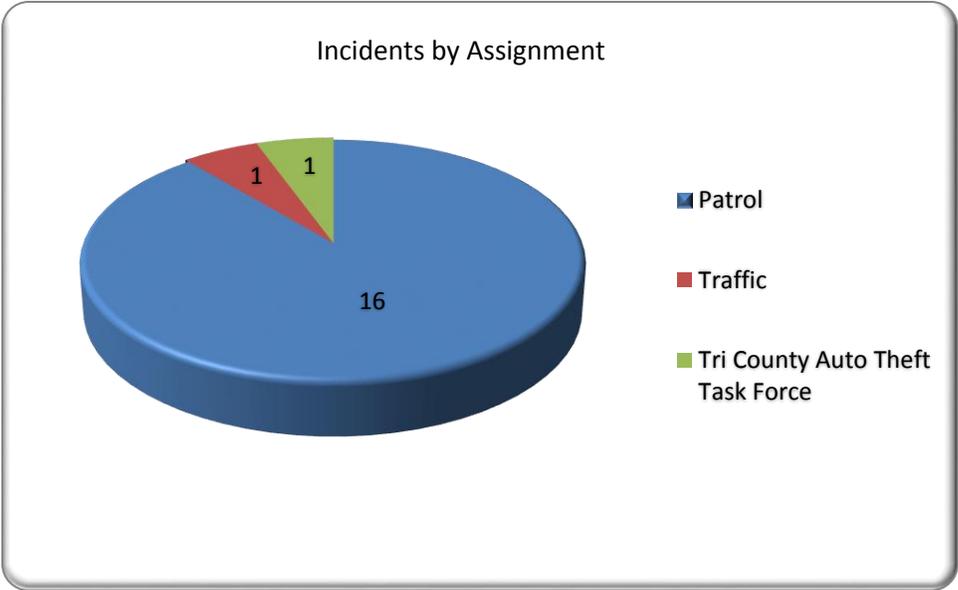


Driving while intoxicated, Evading Arrest, and Resisting were the leading charge types related to response to resistance incidents.

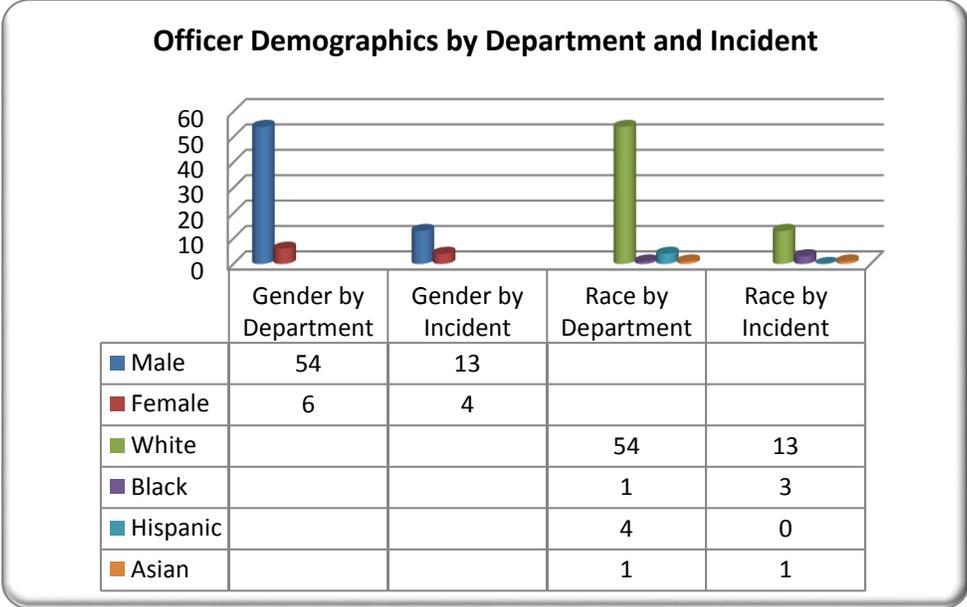


Incidents by Officer

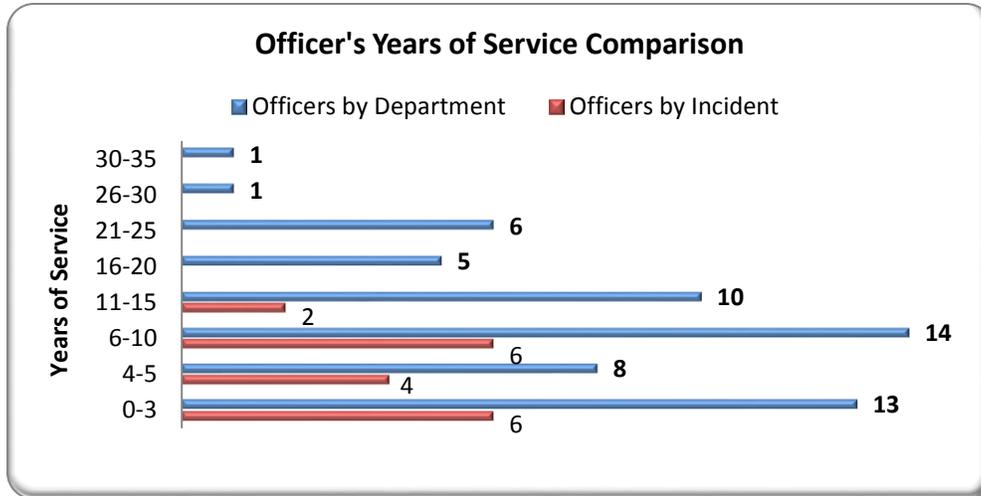
In 2017 the majority of response to resistance reports were generated by patrol officers.



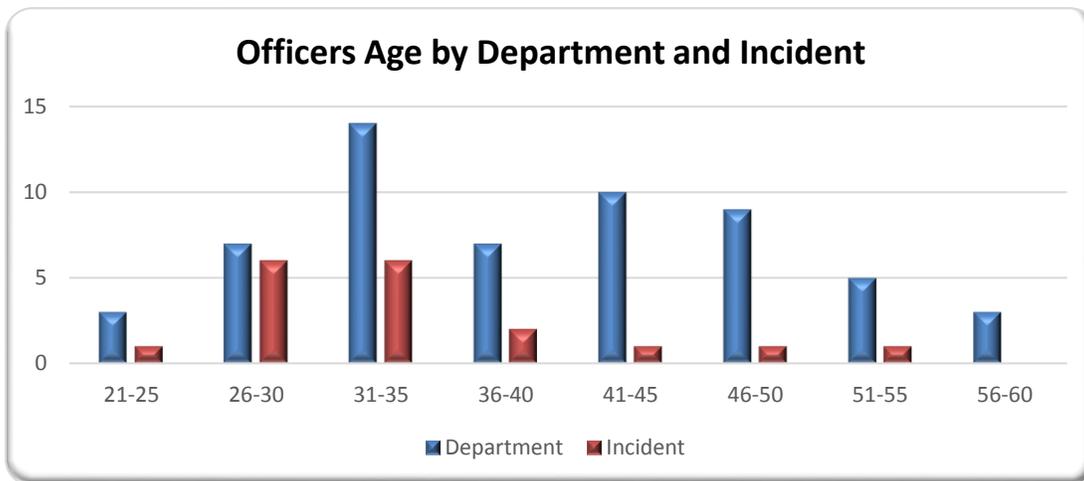
When compared to the department’s demographics, an examination of the response to resistance incidents by officer’s race, gender, and age revealed no irregularities.



An examination of the response to resistance incidents by officer years of service showed officers with three or less years of service and officers with six to ten years of service were in involved in an equal number of response to resistance incidents in 2017. This was consistent with 2016.

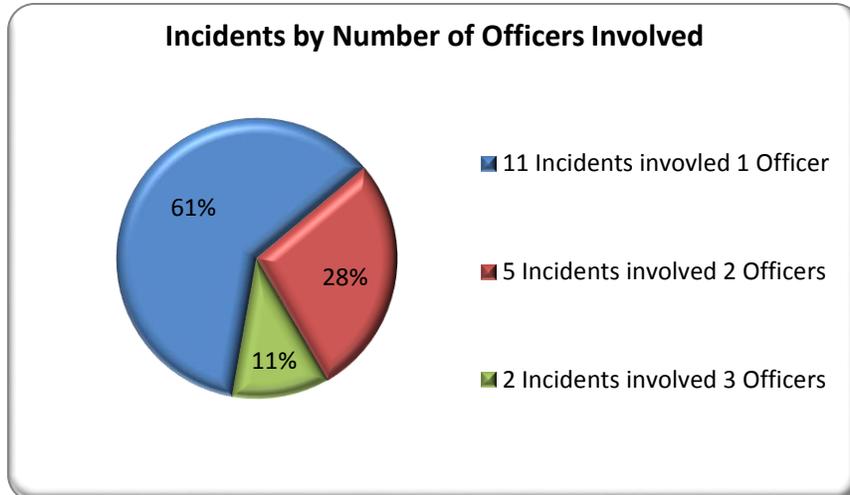


The 26-30 and 31-35 officer age groups had the highest number of officers involved in response to resistance incidents, which was consistent with 2016.



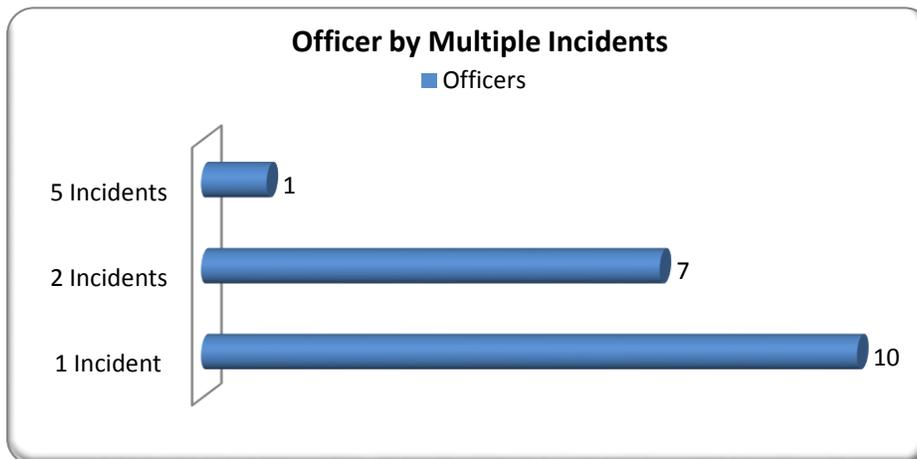
Incidents by number of officers involved

The response of multiple officers to calls for service, which have a greater potential for danger or violence, is a tactic employed to increase officer safety and reduce the need for higher levels of force. Simply stated, a single officer facing one or more violent unarmed suspects will be compelled to use a greater level of force to protect them self or the public than would multiple officers facing a similar set of circumstances. Moreover, some force options such as the use of conducted electrical weapons or impact munitions require a second officer to provide lethal cover in the form of a firearm. As a result, it is common for each response to resistance incident to involve multiple officers and each officer to use some type of force during the incident. Overwhelmingly, response to resistance incidents involved two or fewer officers. In those cases where more than two officers were involved, an examination of the data failed to reveal anything significant. The most officers involved in a single incident were three.



Same Officer Multiple Incidents

The majority of officers who were involved in response to resistance incidents in 2017 were only involved in one incident. However, there was one officer involved in five incidents. A review of those five cases found no irregularities and the level of force used was found to be within policy.

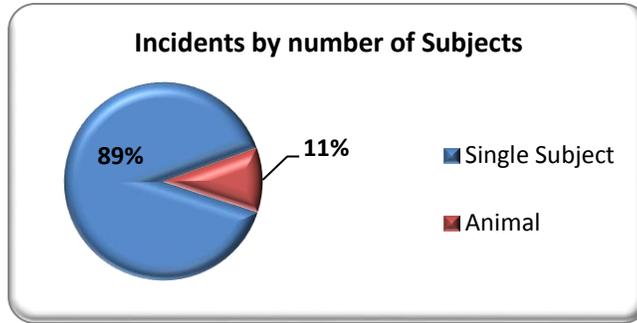


Officer by Injury and Treatment

Five officers reported suffering injury during response to resistance incidents. In four cases, those injuries were described as bruises or strains. In the fifth case, the injury was described as an eye irritation and headache. Of the five officers reporting injury, none sought medical attention.

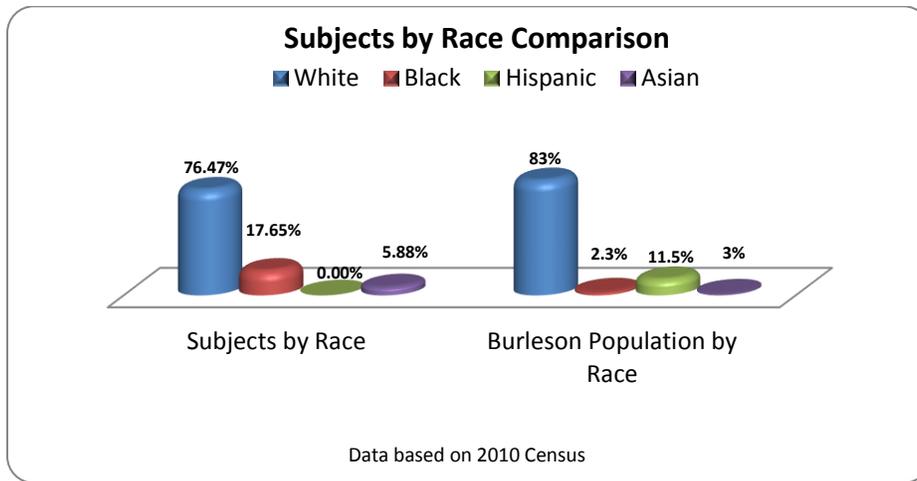
Incidents by Number of Subjects

Of the 19 response to resistance incidents, 17 involved one subject and two consisted of deadly force directed toward a suffering game animal (deer).



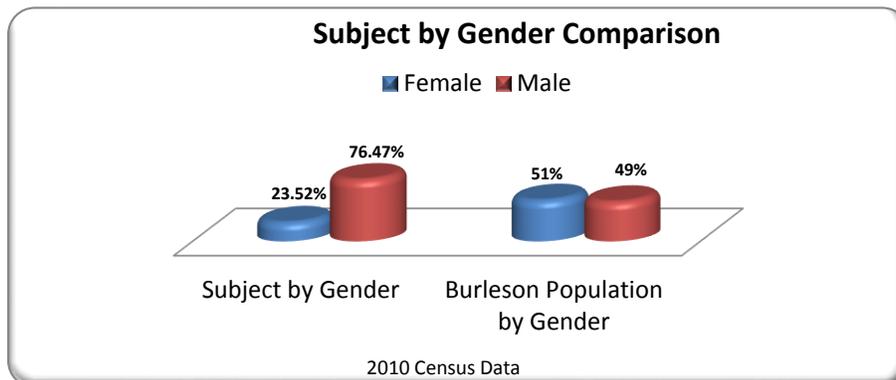
Incidents by Subject's Race

In 2017 response to resistance incidents involved 13 whites, three African-American, one Asian and no Hispanics.



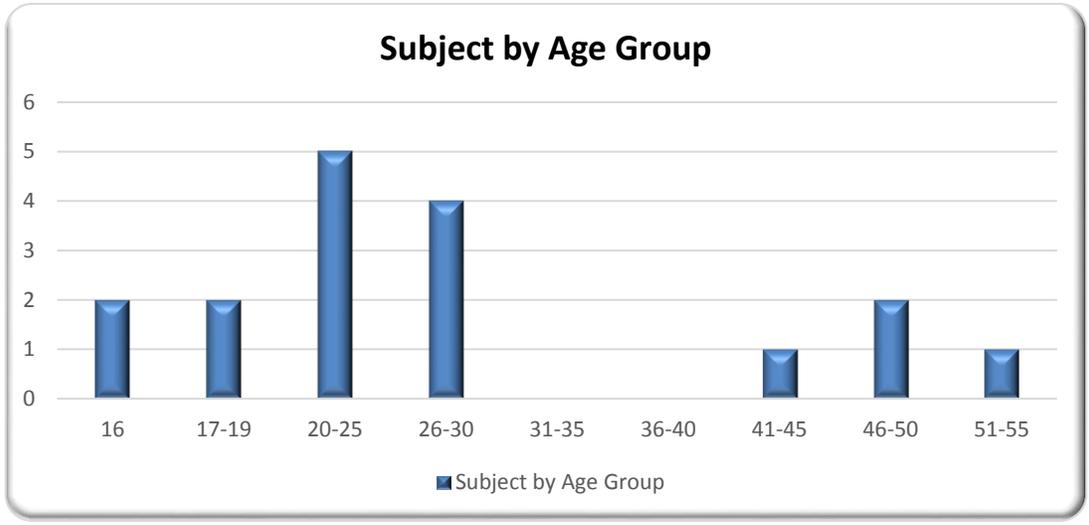
Incidents by Subject's gender

Of the 17 individuals who were the subject of response to resistance incidents in 2017, thirteen were male and four were female.



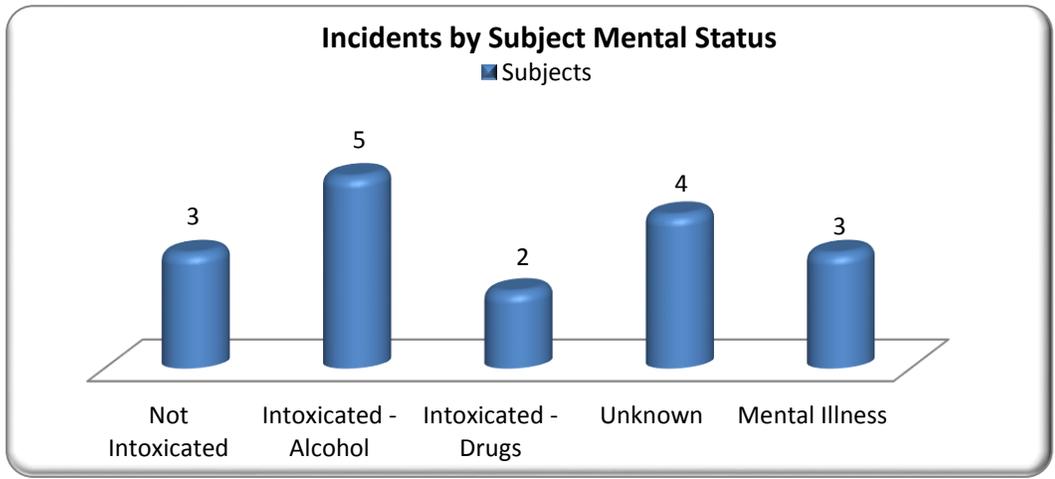
Incidents by Subject's Age

The 30 and younger age groups accounted for 76% of the subjects involved in response to resistance incidents. This was consistent with 2016.



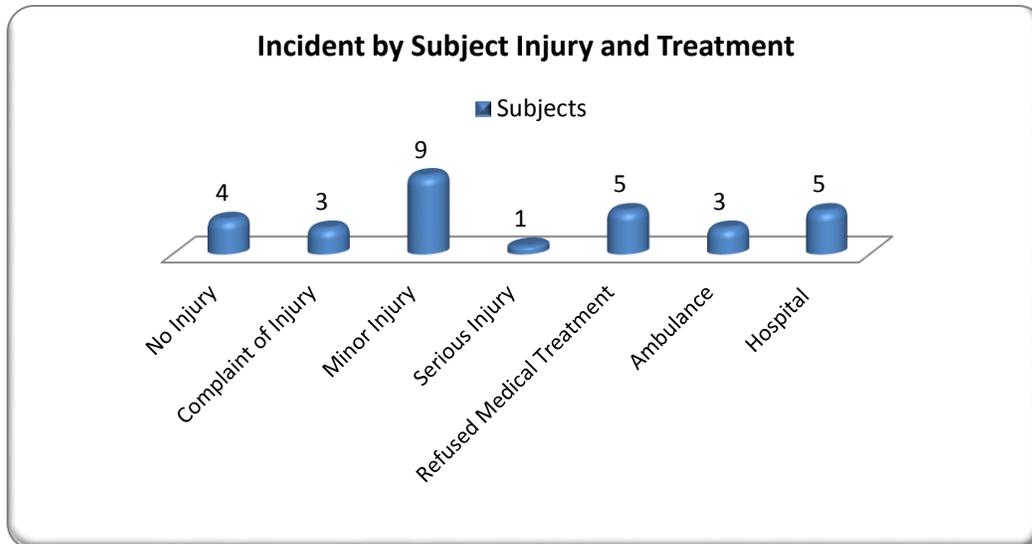
Incidents by Subject’s Mental Status

In about 41% of the incidents, the officer described the subject as being intoxicated. In the majority of the incidents involving intoxicated subjects, alcohol was described as being the cause for intoxication, followed by drugs.



Incidents by Subject’s Injury

Of the 17 subjects involved in response to resistance incidents, nine suffered minor injury and three complained of being injured, but had no visible injury. Eight of the nine reports of minor injury resulted from conducted electrical weapon deployments (puncture wounds due to five probe deployments and skin irritation related to three drive stun deployments). The remaining minor injuries consisted of scratches and scrapes related to grappling with officers. One subject suffered gunshot wounds during a deadly force encounter with officers and was hospitalized. Eight of the thirteen who either displayed or claimed injury were provided medical attention; three by ambulance and five at the hospital, the remaining 5 refused treatment. In each case in which a subject was struck by a dart deployment of a conducted electrical weapon the subject was treated by ambulance personnel.

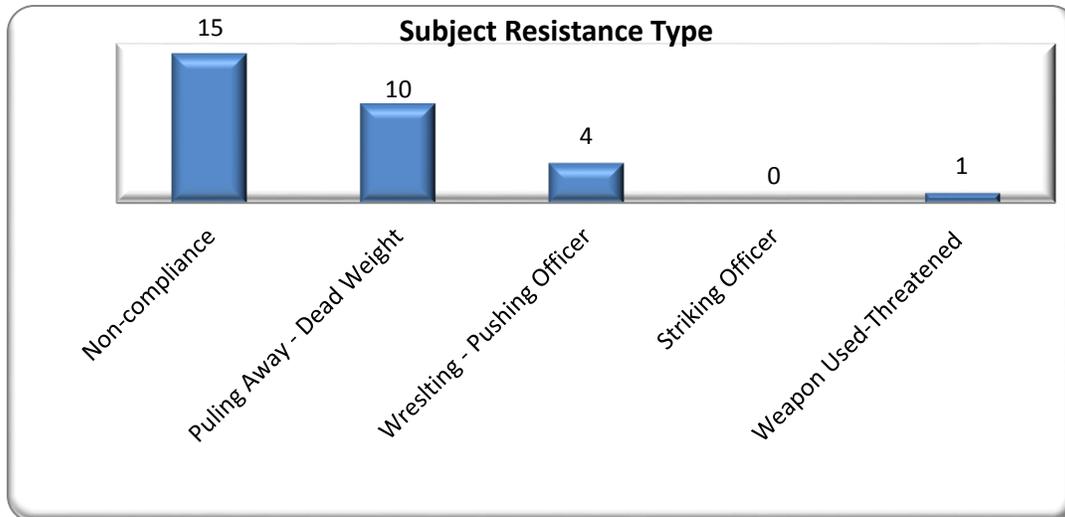


Incidents by Subject's Resistance Type

Subject resistance types are broken down into the following categories:

- Non-compliance, which describes a subject's refusal to comply with direction, but takes no physical action against the officer. Non-compliance typically includes verbal resistance as well: yelling, cursing, and or threatening the officer.
- Pulling away – Dead Weight is considered more passive than aggressive and includes sitting down, stiffening the arms and legs to become difficult to move. Pulling away from officers in an attempt to prevent the officer from taking control.
- Wrestling – Pushing of officers is aggressive resistance and often leads to officer being injured.
- Striking Officers may include the use of the subject's hands, fists, feet, knees, elbows, body, and head. Striking officers is a significant escalation in force on the part of a subject and demonstrates a willingness to cause bodily injury to the officer.
- Weapon used or threatened also includes attempting to take the officers weapon and demonstrates a high level of danger for the officer.

It is likely each response to resistance incident will result in more than one type of resistance being used. For example, it is common for non-compliance to escalate into pulling away, then wrestling. For that reason, the number of resistance factors will not always match the number of subjects involved, nor will it correlate with the number of incidents. In 2017, resistance in the form of Non-compliance and Pulling Away-Dead Weight were the most common forms of resistance.



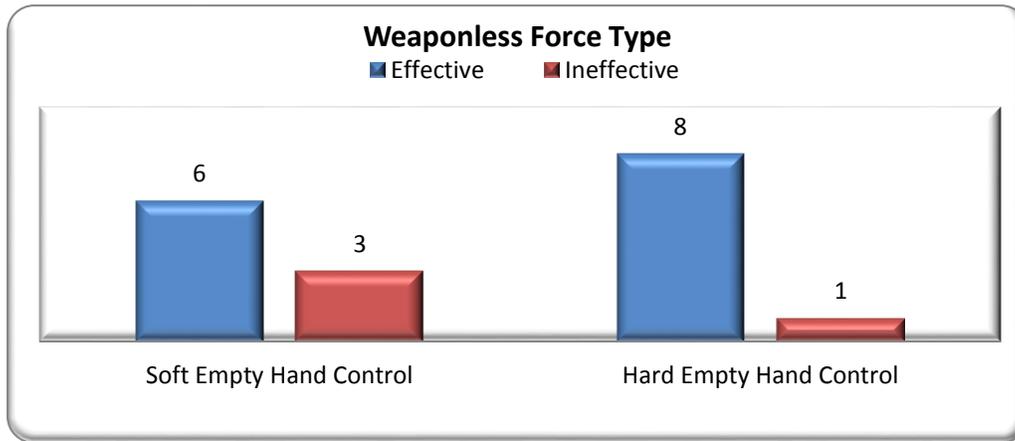
Incidents by weaponless force type

In order to ensure officer safety, suspicious activity and criminal activity by their nature, coupled with officer training and experience can induce a certain level of force or type of response from a police officer. In an effort to minimize injury to the officer and subject, officers have a number of force options. These options included officer presence, verbal commands, and empty hand control. Empty hand control is further divided into two categories: soft techniques and hard techniques.

- **Soft techniques** typically present a minimal risk for injury. Generally, these techniques are used to control passive resistance such as a subject refusing to present hands for handcuffing, sitting or lying down (dead weight), refusing to enter a transport vehicle, stiffening of legs, arms, or body and pulling away. Some examples of soft techniques are handcuffing, wristlocks, arm bars, joint controls and touch pressure points resulting in transient pain. In addition, leg restraints such as shackles and tethers, as well as the application of a spit hood and the non-forceful taking of a subject to the ground fall within soft empty hand control.
- **Hard** techniques consist of striking with hands, feet, knees and elbows and include the forceful taking of a subject to the ground. The nature of hard empty hand control techniques increase the potential risk of injury to the subject and officer. Hard empty hand control is typically used to counter active aggression such as pushing, grabbing, pulling, punching, kicking, biting, and tripping of officers. However, it may be used to counter passive resistance when the strikes and, or “take down” are utilized in a manner consistent with officer training as viewed within the totality of the circumstances.

During a response to resistance incident, an officer may need to use more than one type of force. Additionally, more than one officer may use force to control a subject. As a result, a single incident may result in more than one use of force report and each report may include

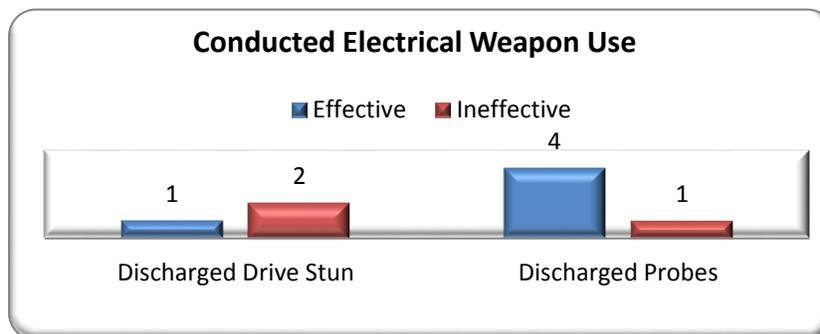
more than one type of force. Thus, the types of force used can be more than the total response to resistance incidents or reports filed.



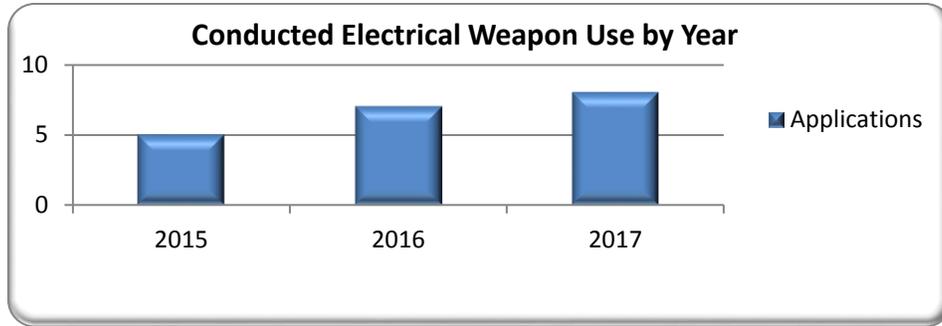
In 2017, the most common force option used by officers was empty hand control, which accounted for nine response to resistance incidents and was reported as effective the majority of the time.

Incident by Use of Conducted Electrical Weapon

During 2017, each application of the conducted electrical weapon in dart mode was limited to one 5 second cycle. The deployments in drive stun mode lasted less than 5 seconds.



There was a decrease in deployment of CEW in dart mode and an increase in effectiveness. In the drive stun deployments, it was considered effective in one out of three deployments. Drive stun mode is typically less effective due to movement by the subject. Deployment of conducted electrical weapons in dart mode has remained relatively consistent over the last three years.



Incident by Use of Firearm

In 2017, four officers used deadly force. Two officers utilized handguns to defend themselves against a subject who was armed with a handgun and knife. In the remaining two incidents, officers disposed of two injured deer. One with a handgun and the other with a shotgun.

Summary

An analysis of the 2017 response to resistance incidents did not reveal any patterns or trends that would suggest a need for additional equipment. The miss rate in the application of CEW in dart mode noted in 2016 was mitigated by additional training in early 2017. Moreover, the training resulted in a more effective use of CEW in dart mode. 2017 was the first year to implement the electronic format for Response to Resistance reporting and the CALEA recommendation from 2014 in the form of a revamped use of force policy. At the end of December 2016, an RMS based response to resistance reporting system was implemented to streamline the process of completing and reviewing response to resistance reporting in 2017.