

**Response to Resistance
Analysis
2018**

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Response to Resistance or Aggression Reports

Response to resistance reports capture information relative to the circumstances surrounding an officer's use of force at the level of hard empty hand control and higher. 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 Burluson 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.

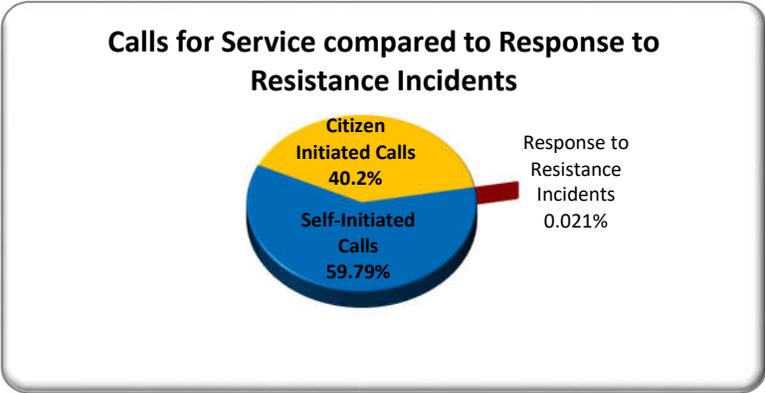
Policy

By policy (04-003H,I,J) each time a Burluson 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
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.
 - b. Less lethal defensive weapons
 - c. Deadly force
2. They discharge a firearm, 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, which results in the complaint of non-transient pain, shall be documented with a Response to Resistance report.

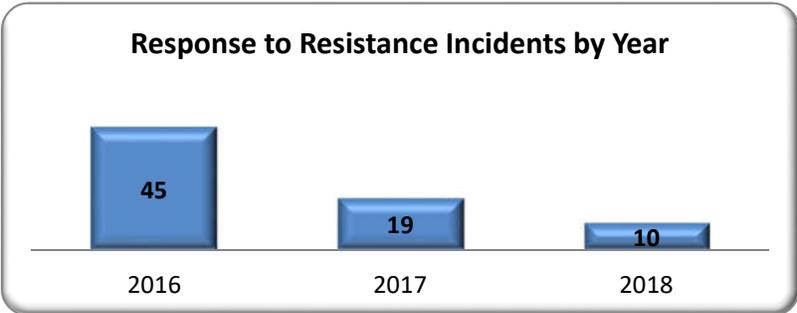
Incidents

In 2018, officers generated ten Response to Resistance Reports. Each of the ten incidents involved one officer's use of force and one subject. In comparison, Burluson Police Officers responded to 45,747 calls for service, 27,355 were self-Initiated calls and 18,392 were citizen-initiated calls. Response to resistance incidents occurred at a rate of approximately one for every 4,575 calls for service.



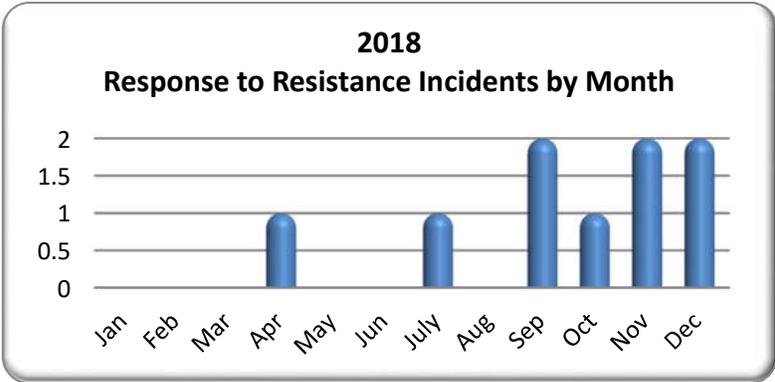
Incidents by year

In 2017, following a CALEA recommendation, the threshold for generating a response to resistance report was raised to hard empty hand control. The result was a decline in response to resistance incidents between 2016 and 2017. The continued decline between 2017 and 2018 is in part associated with officers and supervisors becoming accustomed to the new reporting standard. In 2017, out of the 19 response to resistance incidents, five were not required under the new standard. Once the 2017 totals are adjusted to 14, the difference between 2017 and 2018 does not seem to be significant.

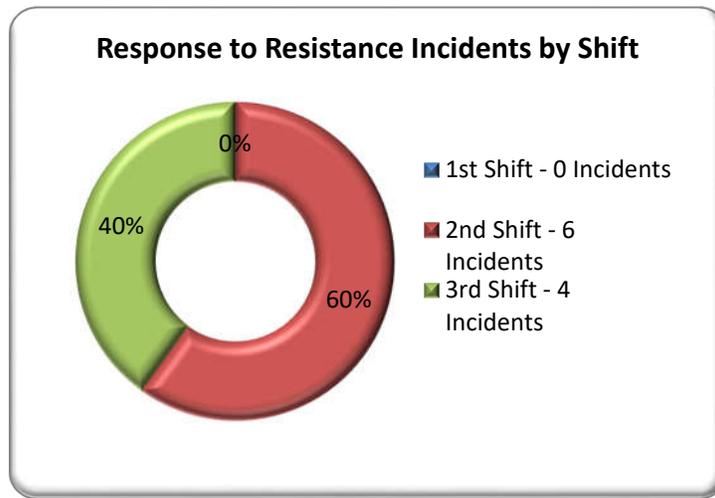


Incidents by Day, Time, Month, Shift

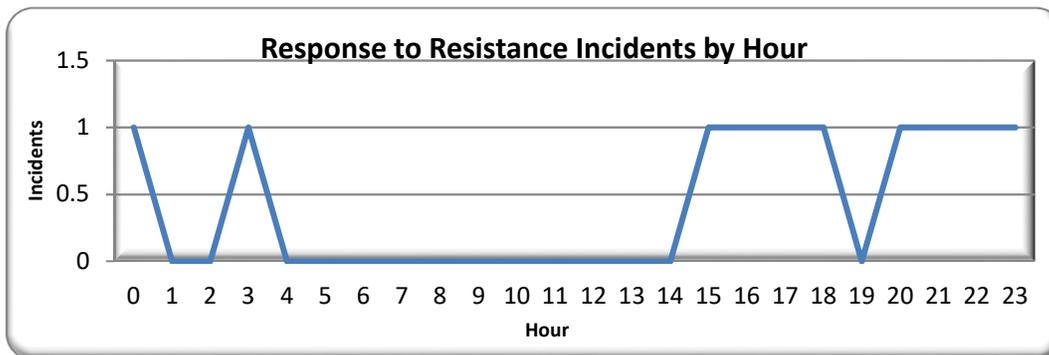
No clear patterns emerged from month to month and no parallels were noted from year to year.



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.

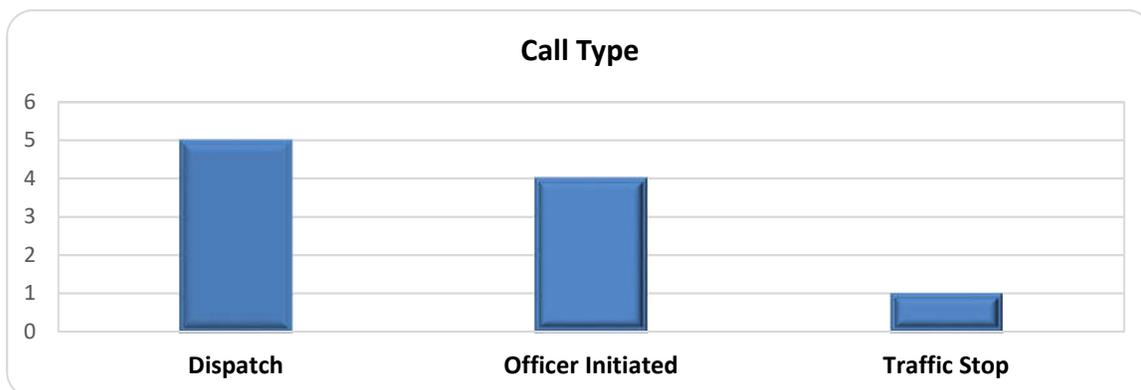


The majority of response to resistance incidents occurred between 8pm and Midnight (5), followed closely by 3pm to 6 pm (4). This is a shift from 2017, which was 3am to 6am.

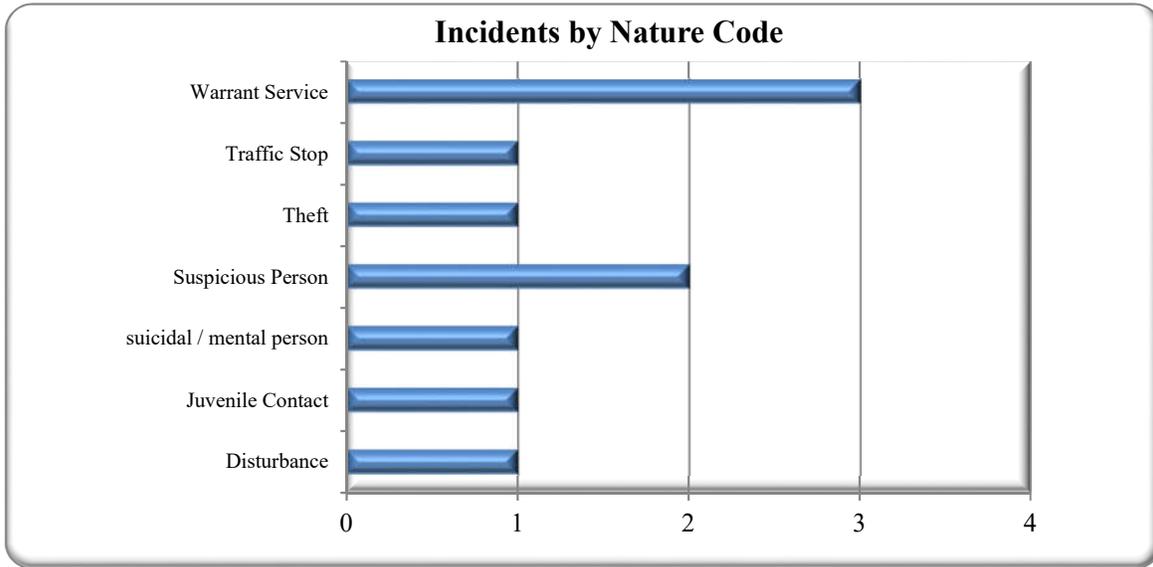


Incidents by call type, nature, and location type

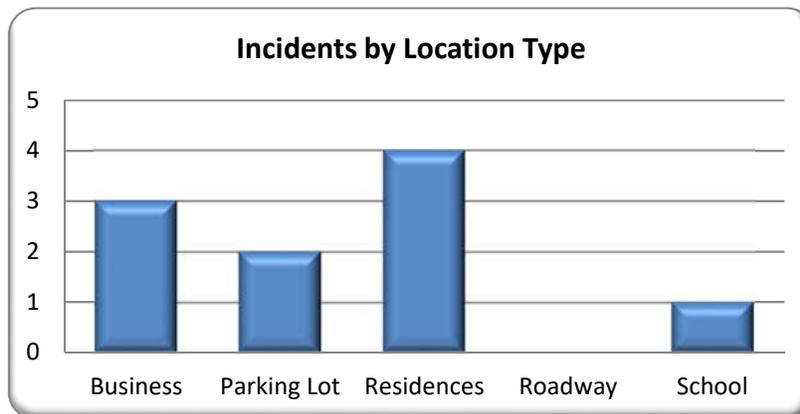
Dispatched calls accounted for 50% of the response to resistance incidents in 2018.



Warrant Service was the top nature code associated with response to resistance incidents in 2018.

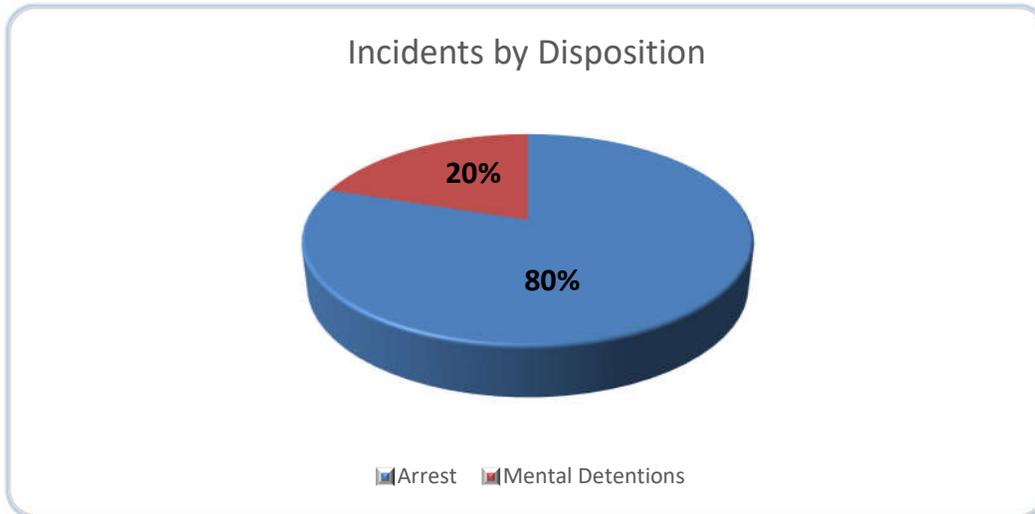


Residence was the most common location for a response to resistance incident to occur, compared to Roadway in 2017.

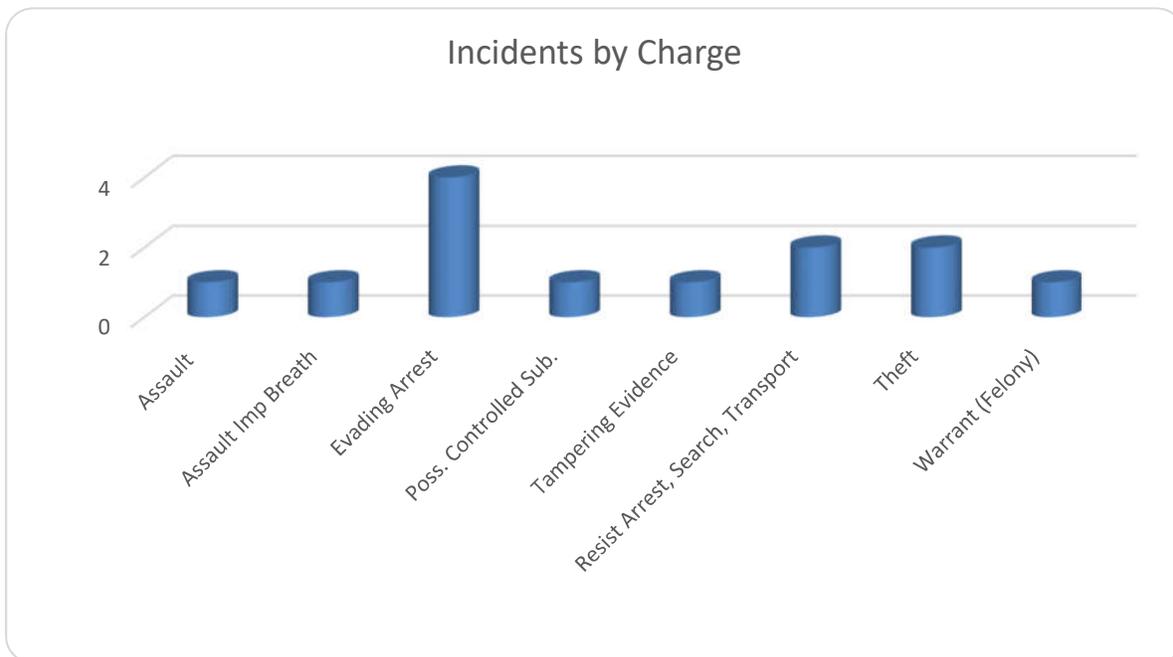


Incidents by disposition

Of the 1,136 arrests made by Burleson Police Officers in 2018, roughly .7 percent (8) resulted in Response to Resistance Incident at or above hard empty hand control. The bulk of the arrests were felonies (six) and two were misdemeanors. The remaining two incidents resulted in mental commitments.

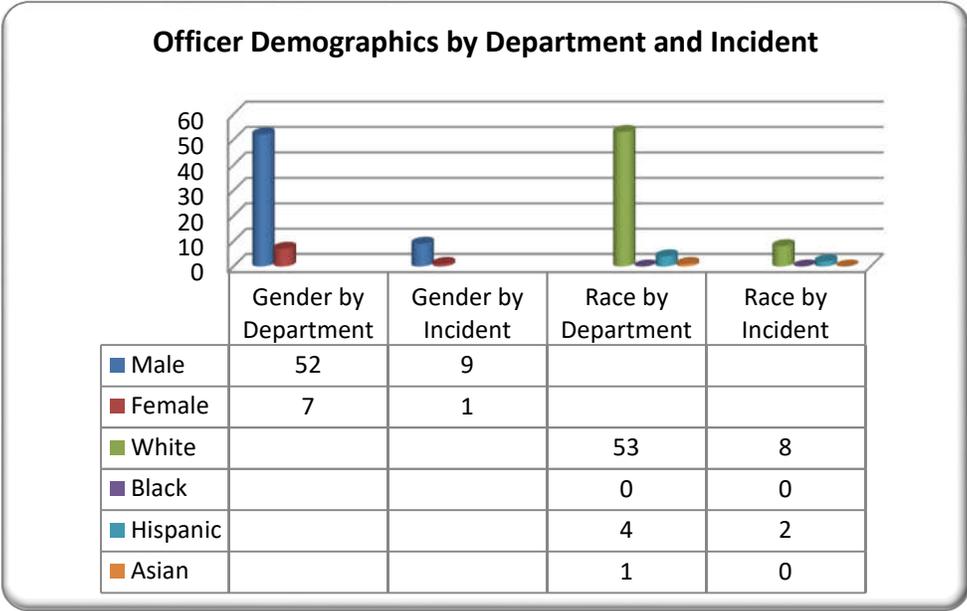


Evading Arrest, followed by Resisting and Theft were the leading charge types associated with response to resistance incidents in 2018.

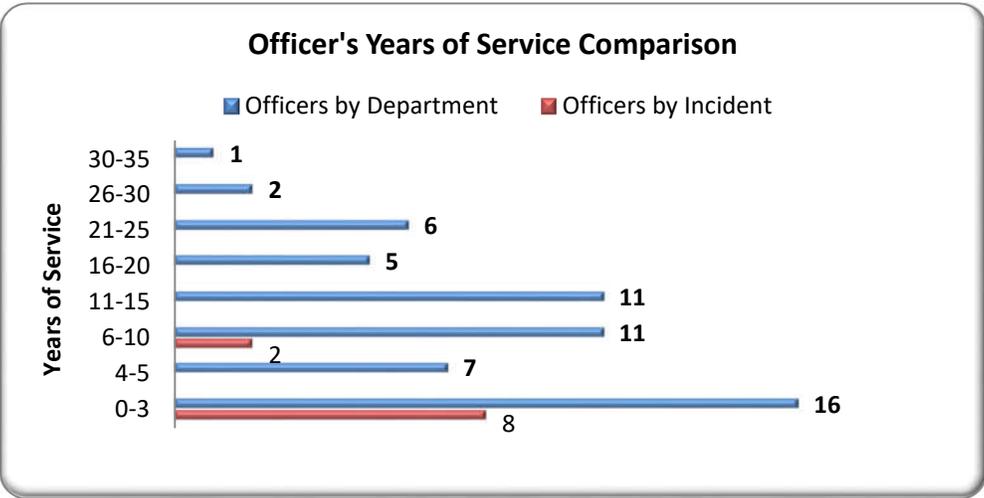


Incidents by Officer

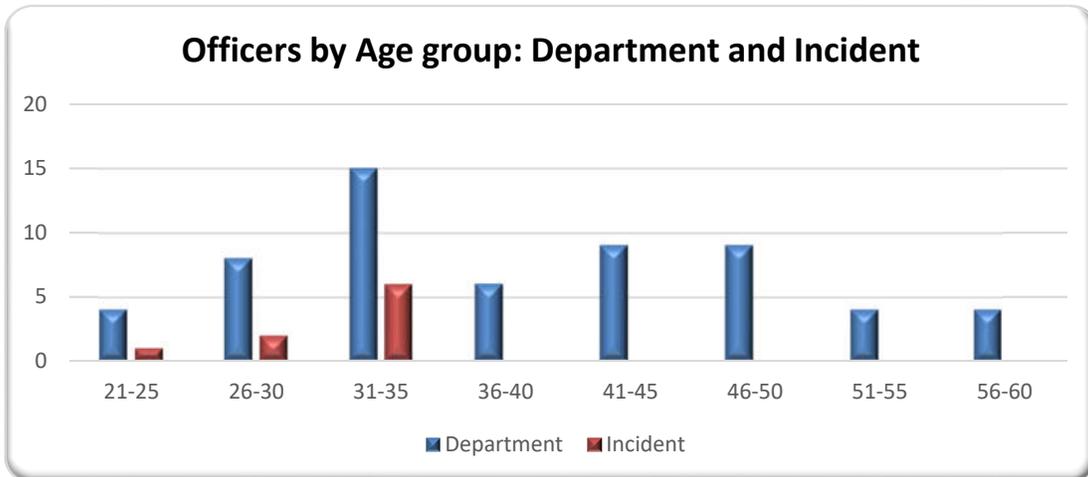
As of the close of 2018, the department was staffed with 59 sworn officers. Nine of those officers were involved in ten response to resistance incidents. When compared to the department’s demographics, an examination of the response to resistance incidents by officer’s race, gender, and age revealed no irregularities.



An examination of the response to resistance incidents by officer years of service showed officers with three or less years of service were involved in the majority of response to resistance incidents in 2018. This was consistent with 2016 and 2017.



The 31-35 officer age groups had the highest number of officers involved in response to resistance incidents, which was consistent with 2016 and 2017. This age group also represents the largest number of officers within the agency.



Incidents by number of officers involved

In 2018, each response to resistance incident involved one officer using force at the level that required a response to resistance report.

Same Officer Multiple Incidents

Of the ten response to resistance incidents, two involved the same officer. A review of those two incidents found no irregularities and the level of force used was found to be within policy.

Officer by Injury and Treatment

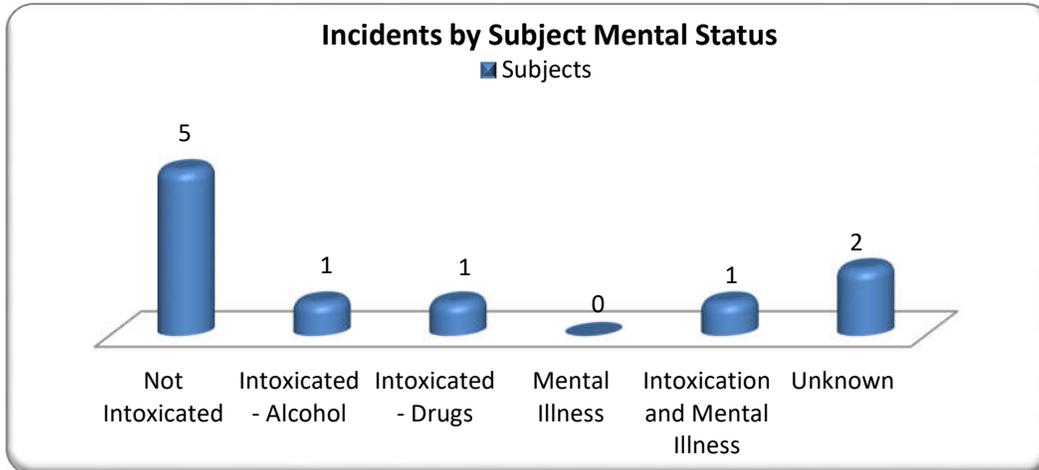
Of the nine officers involved in response to resistance incidents, only one described sustaining minor abrasions. The remaining eight officers reported sustaining no injuries. The officer reporting minor injury did not seek medical attention.

Incidents by Subject's Gender, Race, and Age

In 2018, nine of the ten response to resistance incidents involved males while one involved a female. The race of the subjects consisted of five white, four African-American, and one Hispanic. The youngest subjects were 15 and 16. Five subjects were over 40 with the oldest being 57. The remaining three were 21, 26, and 36. An examination of response to resistance incidents by gender, race, and age did not reveal anything remarkable.

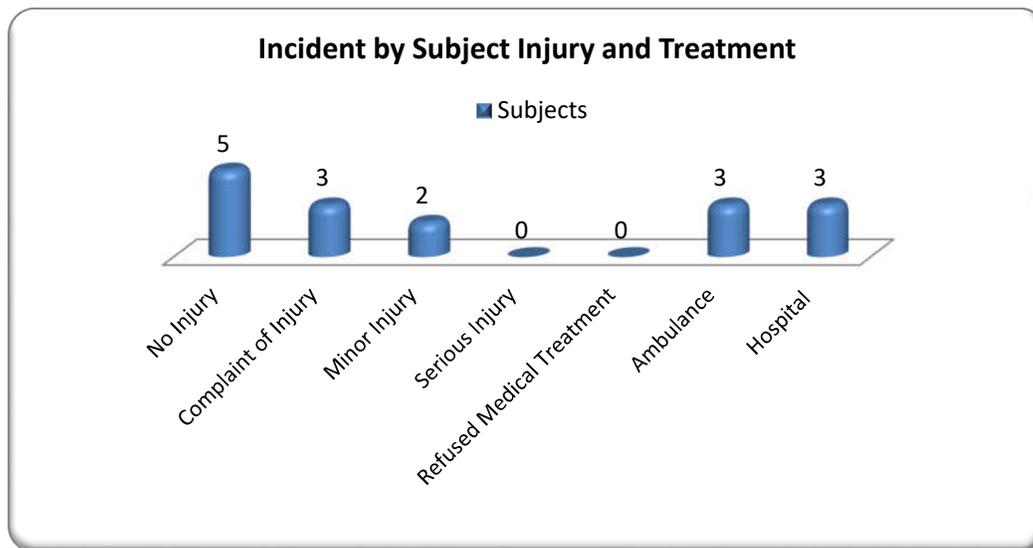
Incidents by Subject's Mental Status

Five of the ten subjects of response to resistance incidents were described as "Not Intoxicated." In 2017, the majority of the subject were described as either intoxicated, mentally ill, or both.



Incidents by Subject's Injury and Resistance Type

Of the 10 subjects involved in response to resistance incidents, two suffered minor injury and three complained of being injured, but had no visible injury. One of the reports of minor injury resulted from conducted electrical weapon deployment in dart mode (puncture wounds due to CEW darts). The remaining minor injury consisted of scratches and scrapes related to grappling with officers. In each of the three cases in which a subject was struck by a dart deployment of a conducted electrical weapon, the subject was treated by ambulance personnel. In the three cases where the subject was transported to the hospital, two were due to mental commitments and one was a complaint of chest pain.



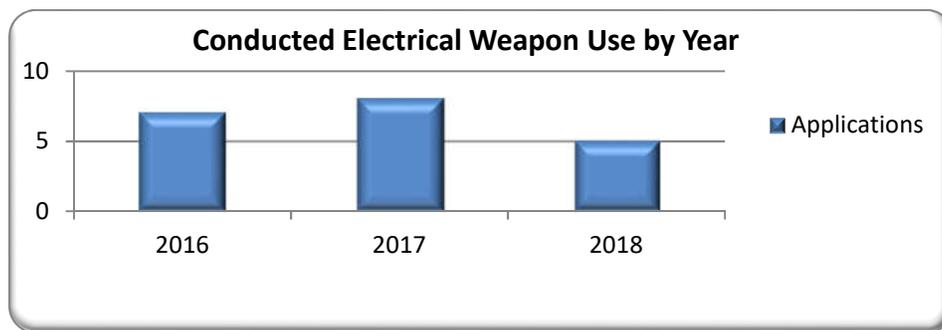
Seven of the ten incidents in 2018 began when the subject fled on foot. The remaining three involved the subject pulling away during an attempt to detain them.

Incidents by Officer Force Type

During 2018, the type of force used by officers consisted of three forceful takedowns, five-conducted electrical weapon (CEW) deployments, and two unintentional handgun discharges.

Incident by Use of Conducted Electrical Weapon

During 2018, each of the five applications of the conducted electrical weapons were in dart mode and were limited to a single five-second cycle. The CEW was not deployed in drive stun mode. Of the five deployments, two missed the subject with both darts and were ineffective. In the remaining three incidents, both probes connected and the deployment was described as effective. The subjects of the five deployments were three white males (one missed) and two black males (one missed). The deployment of conducted electrical weapons is at a three year low.



Incident by Use of Firearm

In 2018, two officers unintentionally discharged their handgun while chasing wanted felons on foot. In one case, the officer discharged the weapon while climbing a fence. In the other incident, the officer was trying to manipulate a grip mounted pressure switch to activate a weapon mounted light. After research by the Range Master, it is believed both incidents involved sympathetic contraction while the trigger finger was indexed along the trigger guard. Sympathetic contraction is described as occurring when the muscles on one side of the body contract, causing a similar contraction of the muscles on the opposite side of the body.

As a result of these two incidents, roll call training as well as firearms training was conducted to educate officers on sympathetic contraction and to train officers to index their trigger finger on the frame of the firearm as opposed to the space along the trigger guard. In addition, the offending model of pressure activated grip light switch was removed from all handguns until it could be evaluated.

Use of Force Below hard empty hand control.

Soft empty hand control 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. For the 2018 reporting cycle and moving forward, CALEA has requested that statistical data on the use of **any** physical force, the display of a firearm, and the display of an electronic conductive weapon be reported in addition to force at or above the use of hard empty hand control. This is not a policy standard. Based on this additional requirement, the statistical data reported to CALEA is being incorporated in this use of force review. The 10 response to resistance incidents discussed in this analysis are included in the below table.

Subject Race:	White		Black		Hispanic/Latino		Other		Total
Subject Sex:	M	F	M	F	M	F	M	F	
Firearm Discharge	0	0	1	0	1	0	0	0	2
Firearm Display only	61	7	26	2	15	3	0	0	114
CEW Discharge	3	0	2	0	0	0	0	0	5
CEW Display only	14	2	6	1	2	0	0	0	25
Baton	0	0	0	0	0	0	0	0	0
Chemical /OC	0	0	0	0	0	0	0	0	0
Weaponless	45	9	0	1	9	1	0	0	65
Total:	123	18	35	4	27	4	0	0	211
Total number of suspects receiving non-fatal injuries	3	0	1	0	0	0	0	0	4
Total number of suspects receiving fatal injuries	0	0	0	0	0	0	0	0	0
Total number of incidents resulting officer injury or death	3	1	0	0	0	0	0	0	4
Total use of force arrests	45	11	10	1	0	0	0	0	67
Total agency custodial arrests	706	291	109	33	0	0	2	1	1142
Total use of force complaints	0	0	0	0	0	0	0	0	0

Table updated 7/13/2020

Summary

An analysis of the 2018 response to resistance incidents did not reveal any patterns or trends. However, on the heels of two unintentional discharge of firearms, the department adjusted firearms training and is in the process of reviewing authorized lighting equipment. There was a continued decline in the number of response to resistance incidents at or above the level of hard empty hand control. Those uses of force at or below soft empty hand control have remained consistent from year to year.