

**Response to Resistance
Analysis
2019**

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January 29, 2020

BURLESON
TEXAS

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 through 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

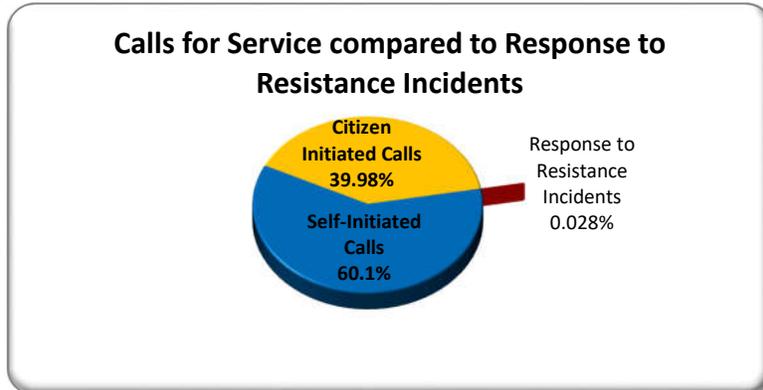
By policy (04-003H,I,J) each time a Burleson police officer uses force as listed below, the officer is required to complete a response to resistance report.

1. They use the following force type(s):
 - a. Hard empty hand control
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

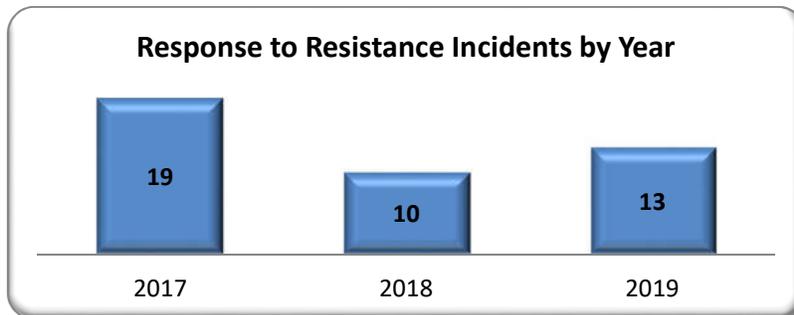
In 2019, there were 13 incidents, which required Use of Force Reports. Those 13 incidents resulted in 14 Use of Force Reports (two officers used force during the same incident). Of the 13 incidents, 11 directed force at a person. One was deadly force to end the suffering of an animal and one was the accidental discharge of a firearm. In comparison, Burleson Police Officers responded to 46,309 calls for service, 27,792 were self-Initiated calls and 18,517 were

citizen-initiated calls. Response to resistance incidents occurred at a rate of approximately one for every 3,562 calls for service.



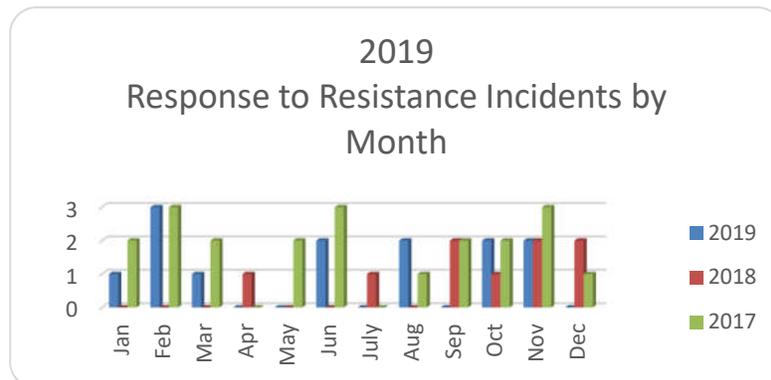
Incidents by year

In 2017, following a CALEA recommendation, the threshold for generating a response to resistance report was raised to hard empty hand control. The result has been a steady decline in reportable response to resistance incidents when compared to post 2017 reporting. 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 2019 seems to be leveling out.

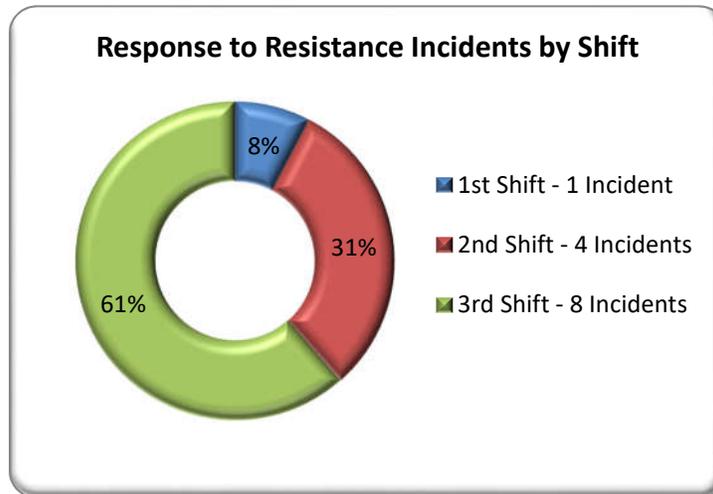


Incidents by Day, Time, Month, Shift

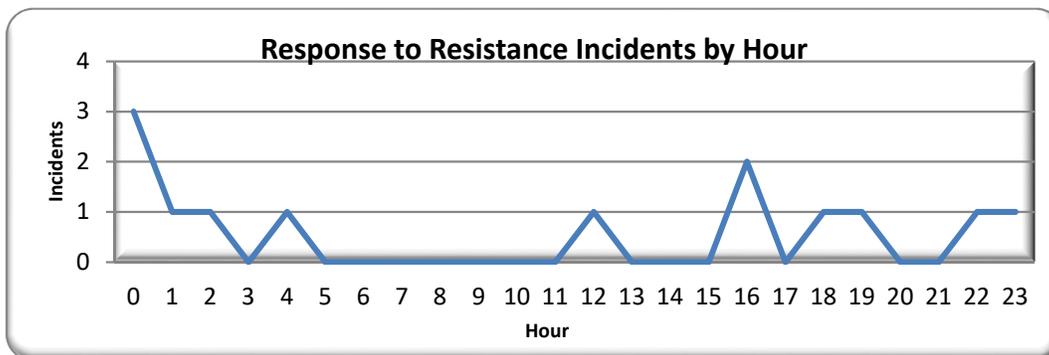
No clear patterns emerged from month to month and no parallels were noted from year to year.



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

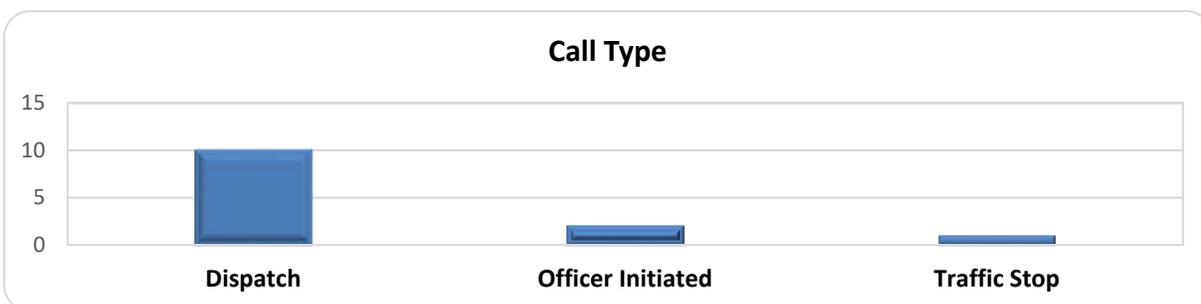


The majority of response to resistance incidents occurred between Midnight and 4am (6). This is a shift from 2018, which was 8p to Midnight.

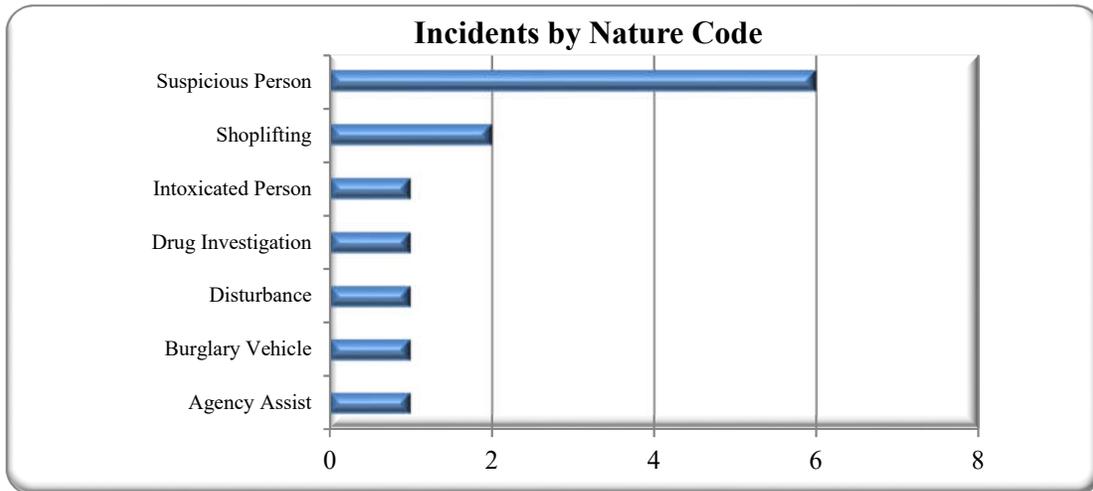


Incidents by call type, nature, and location type

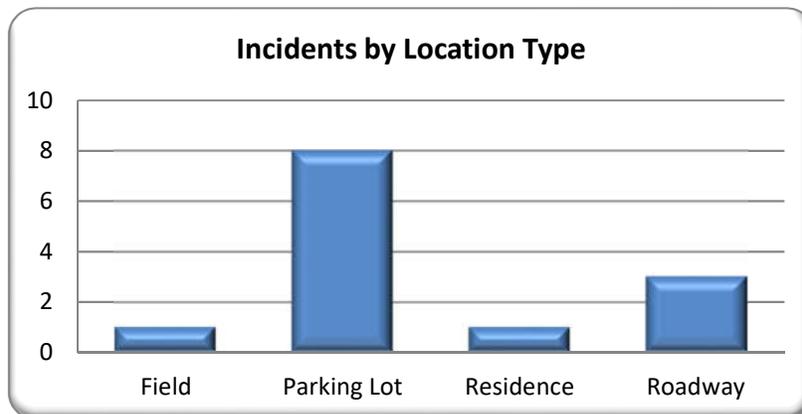
Dispatched calls accounted for the majority of response to resistance incidents in 2019.



Suspicious Person was the top nature code associated with response to resistance incidents in 2019.



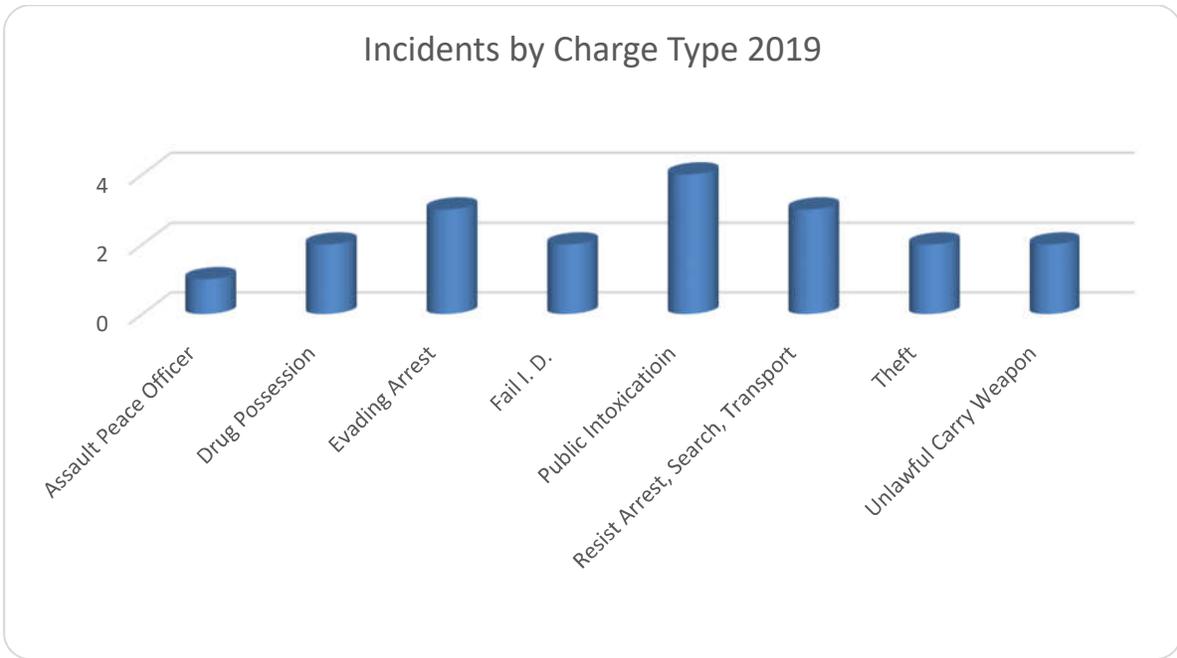
Parking lot was the most common location for a response to resistance incident to occur in 2019.



Incidents by disposition

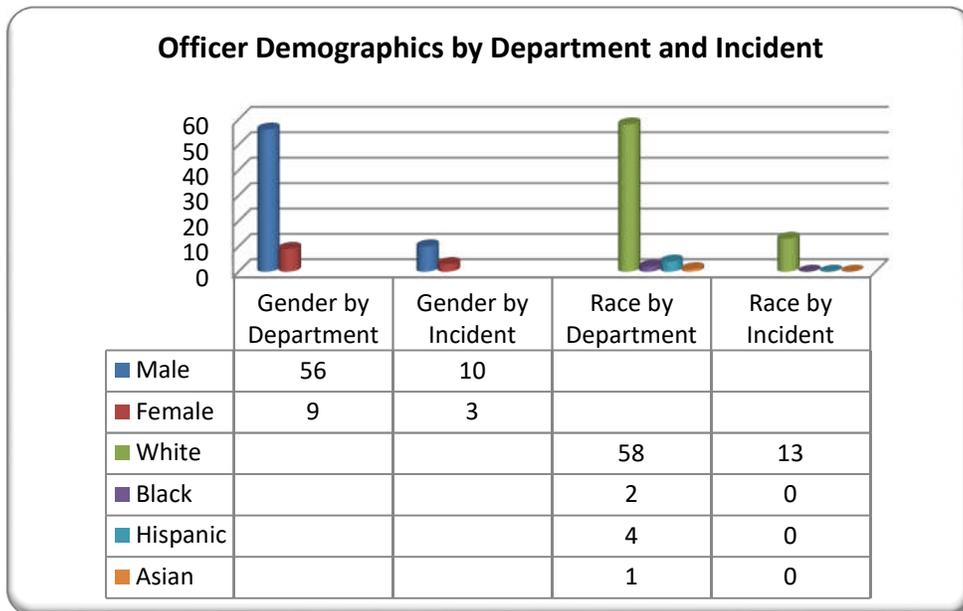
Of the 1,246 arrests made by Burlison Police Officers in 2019, roughly .8 percent (10) resulted in Response to Resistance Incident at or above hard empty hand control. Those arrests consisted of eight misdemeanors and two felonies.

Public Intoxication, followed by Resisting and Evading were the leading charge types associated with response to resistance incidents in 2019.

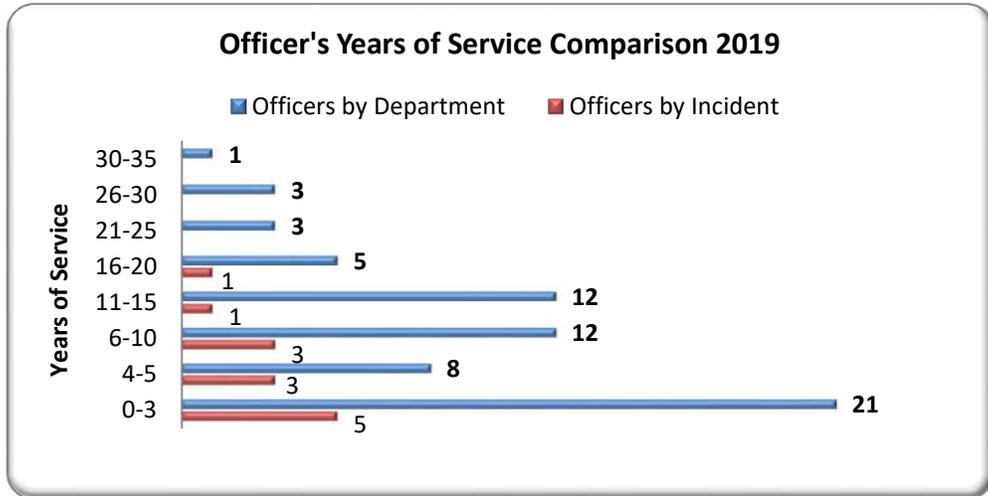


Incidents by Officer

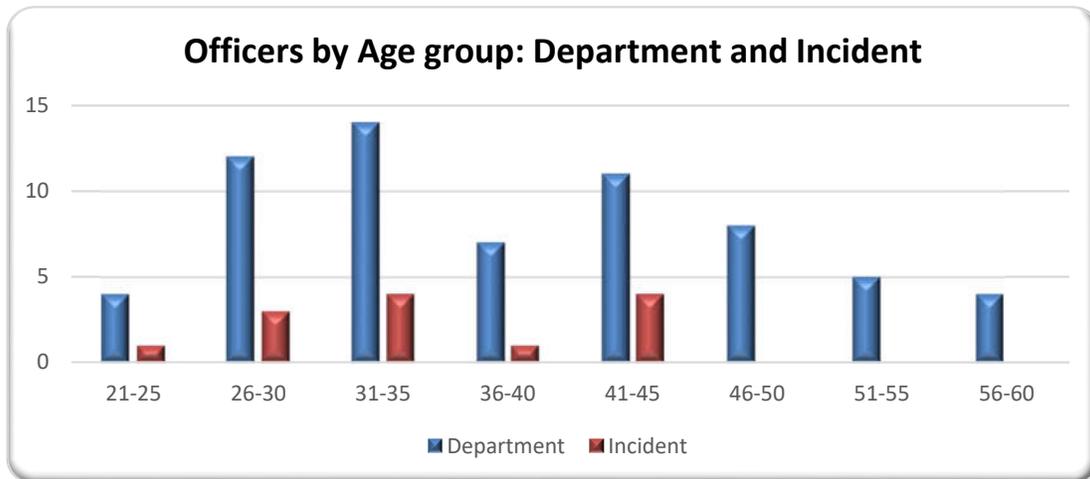
As of the close of 2019, the department was staffed with 65 sworn officers. Thirteen of those officers were involved in fourteen response to resistance incidents. When compared to the department's demographics, an examination of the response to resistance incidents by officer's race, gender, and age 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 2019. This was consistent with 2017 and 2018.



The 26-30, 31-35 and 41-45 officer age groups were represented almost evenly as having the highest frequency of response to resistance incidents in 2019. These three groups also represents over half the department's sworn personnel.



Incidents by number of officers involved

In in all but one incident in 2019, only one officer used force at the level that required a response to resistance report. In the remaining incident, two officers used force requiring the completion of a response to resistance report.

Same Officer Multiple Incidents

Of the 13 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

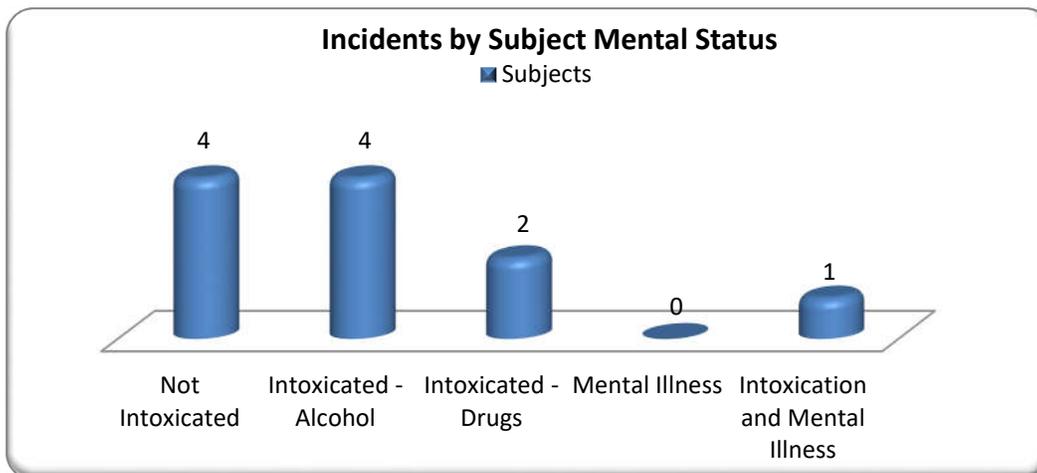
Of the thirteen officers involved in response to resistance incidents, only two described sustaining minor abrasions. The remaining eleven officers reported sustaining no injuries. The officer reporting minor injury sought first aid; one of those from the Fire Department and the other self-aid.

Incidents by Subject's Gender, Race, and Age

In 2019, ten response to resistance incidents involved males while one involved a female. The race of the subjects consisted of seven white, three African-American, and one Hispanic. Two subjects were 20-25 with the youngest subject being 20. The remaining nine subjects were 31 – 45 with the oldest being 43. An examination of response to resistance incidents by gender, race, and age did not reveal anything remarkable.

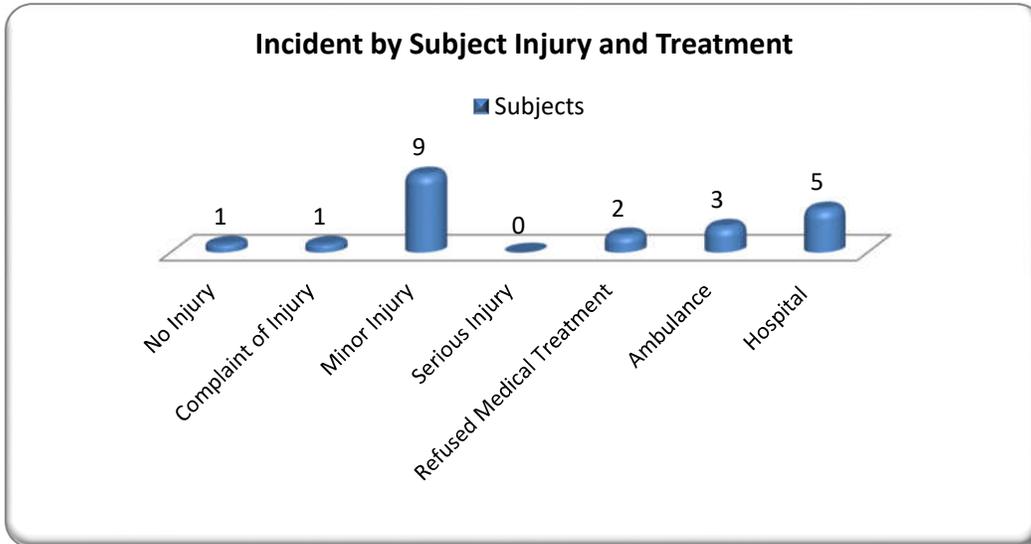
Incidents by Subject's Mental Status

Seven of the eleven subjects of response to resistance incidents were described as suffering from some form of intoxication.



Incidents by Subject's Injury and Resistance Type

Of the eleven subjects involved in response to resistance incidents, nine suffered minor injury and one complained of being injured, but had no visible injury. Five of the reports of minor injury resulted from conducted electrical weapon deployment in dart mode (puncture wounds due to CEW darts). Three minor injuries consisted of scratches and scrapes related to grappling with officers and being taken to the ground. One incident resulted in an exchange of punches between the suspect and the officer. In the five cases in which a subject was struck by a dart deployment of a conducted electrical weapon, the subject was treated by ambulance in three cases, a hospital in one, and refused treatment in one incident. In the remaining four incidents, four subjects were transported to the hospital based on their request.



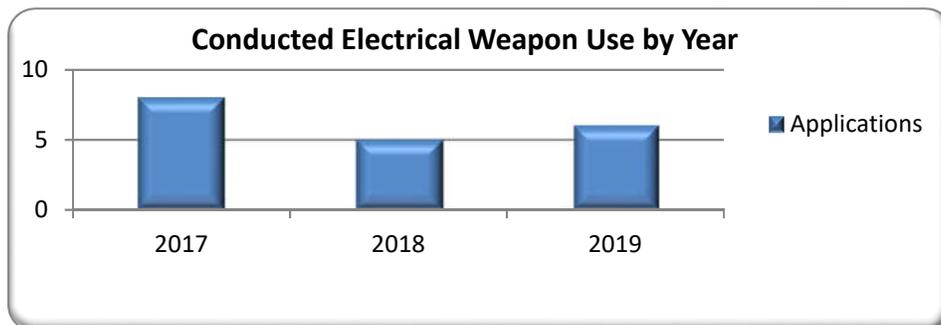
Six of the thirteen incidents in 2019 began when the subject fled on foot. The remaining five involved the subject pulling away during an attempt to detain them. Two of the reports did not have a subject involved.

Incidents by Officer Force Type

During 2019, the type of force used by officers consisted of five forceful takedowns, six conducted electrical weapon (CEW) deployments, one closed fist strike, one handgun discharge to end the suffering of an animal, and one unintentional handgun discharges.

Incident by Use of Conducted Electrical Weapon

During 2019, each of the six applications of 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 six deployments, two missed the subject with one darts and were ineffective. In the remaining four incidents, both probes connected and the deployment was described as effective. The subjects of the six deployments were three white males and two black males. In one incident involving a black male, two officers deployed CEWs and both missed with one dart. The deployment of conducted electrical weapons continues to remain low.



Incident by Use of Firearm

In 2019, there were two handgun discharges. One was to end the suffering of an injured animal and the other was an unintentionally discharged of a handgun found in a vehicle. The officer involved in the unintentional discharge was in field training and was not under the direct supervision of his training officer. After a thorough review, training was developed and implemented to help mitigate unintentional discharges when handling unfamiliar firearms.

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. It is important to note that multiple officers will likely be involved from varying degrees in any incident that results in the need for force. The burden of tracking **any physical force used** is extremely difficult given the expansive definition of “any”. The 13 response to resistance incidents discussed in this analysis are included in the table on page eleven.

Summary

An analysis of the 2019 response to resistance incidents did not reveal any patterns or trends. However, given a third unintentional discharge of a handgun in two years, it did afford the department with an opportunity to continue to improve on safety when it comes to the safe handling of firearms. Use of force seems to remain consistent from year to year.

Use of any force table (updated 7/22/2020)

Subject Race:	White		Black		Hispanic/Latino		Other		Total
Subject Sex:	M	F	M	F	M	F	M	F	
Firearm Discharge	0	0	0	0	0	0	0	0	*2
Firearm Display only	65	9	30	1	5	0	0	0	110
CEW Discharge	4	0	2	0	0	0	0	0	6
CEW Display only	20	2	11	0	4	0	0	0	37
Baton	0	0	0	0	0	0	0	0	0
Chemical /OC	0	0	0	0	0	0	0	0	0
Weaponless	60	18	3	6	17	5	0	0	109
Total:	149	29	46	7	26	5	0	0	264
Total number of suspects receiving non-fatal injuries	5	1	3	0	1	0	0	0	10
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	0	0	0	0	0	0	0	3
Total use of force arrests	42	8	11	2	6	1	0	0	70
Total agency custodial arrests	607	282	126	49	147	47	2	1	1261
Total use of force complaints	1	0	1	0	0	0	0	0	2

*

In 2018, there were two discharges of handguns. One was unintentional and the other was to end the suffering of an injured animal.