

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

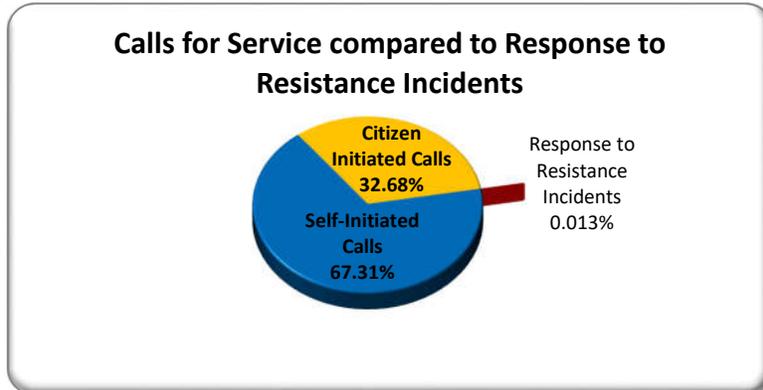
By policy (04-003H, I, J) each time a Burleson police officer uses force as listed below, the officer is required to complete a response to resistance report.

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

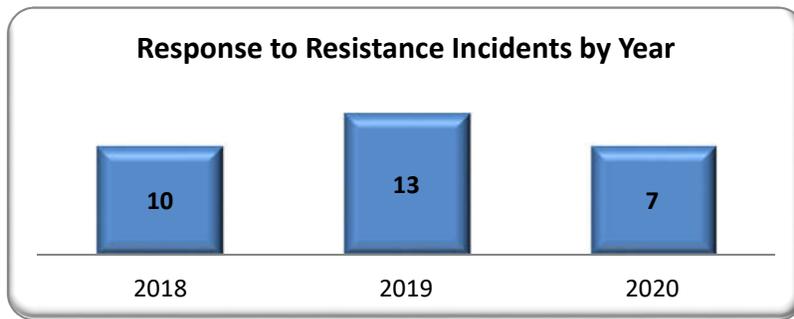
In 2020, there were seven incidents which required Use of Force Reports. Those incidents resulted in ten use of force reports (three incidents involved two officers using force during the same incidents). Of the seven incidents, six directed force at a person. One was the discharge of a firearm to end the suffering of an animal. In comparison, Burleson Police Officers responded to 53,393 calls for service; 35,941 were self-Initiated calls and 17,452 were citizen-

initiated calls. Response to resistance incidents occurred at a rate of approximately one for every 7,627 calls for service.



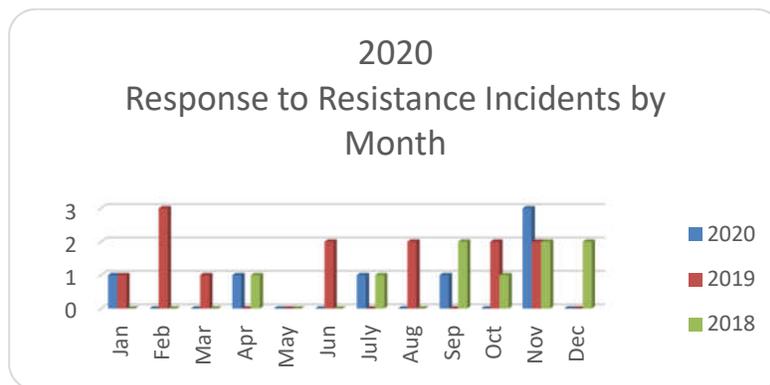
Incidents by year

Use of force at the level of hard empty hand control and higher have declined when compared to the previous two years.

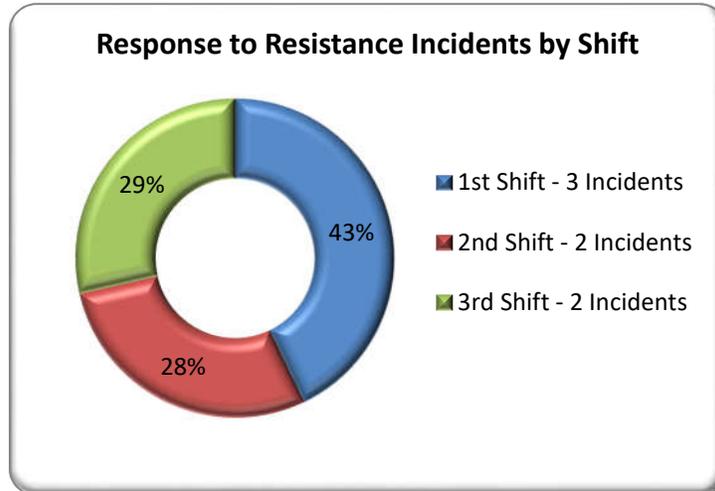


Incidents by Day, Time, Month, Shift

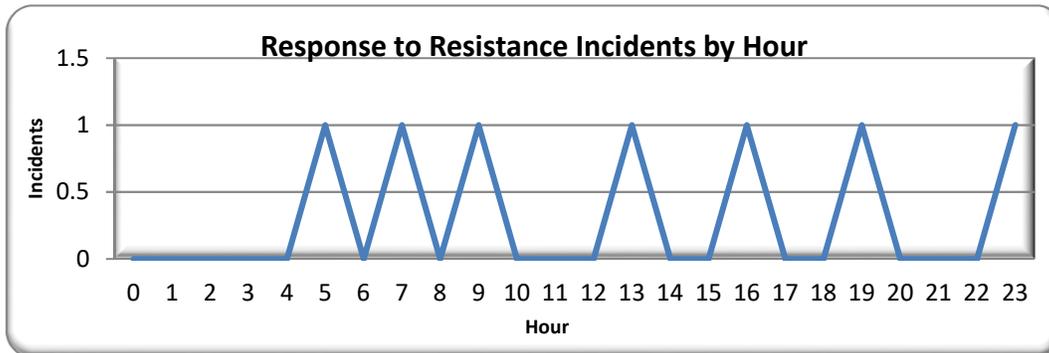
No clear patterns emerged from month to month and no parallels were noted from year to year.



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



There were no patterns identified related to time of day.

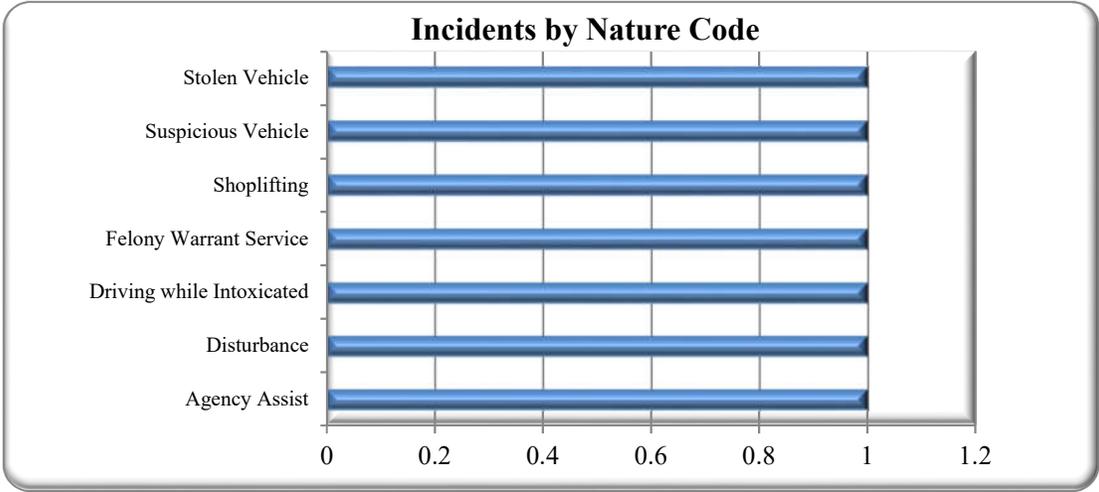


Incidents by call type, nature, and location type

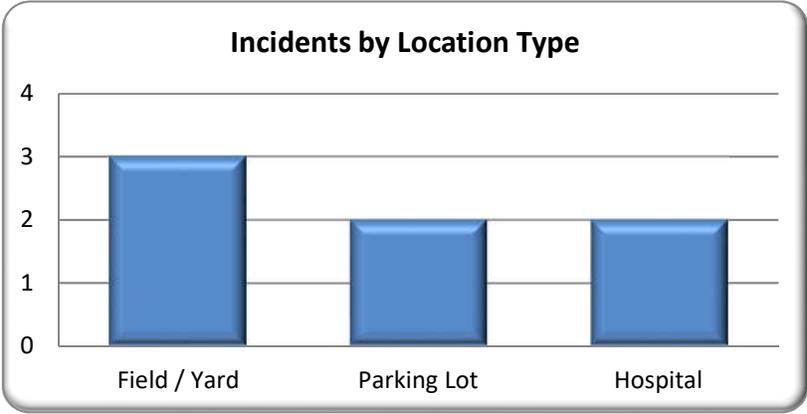
Dispatched calls accounted for the majority of response to resistance incidents in 2020, which is consistent with previous years.



There was no dominate nature code associated with response to resistance incidents in 2020.



Field / Yard was the most common location for a response to resistance incident to occur in 2020.



Incidents by disposition

Of the 1,107 arrests made by Burleson Police Officers in 2020, roughly .5 percent (six) resulted in Response to Resistance Incident at or above hard empty hand control. Those arrests were split evenly between misdemeanors and felonies. Resisting and evading arrest were the leading charge types associated with response to resistance incidents in 2020.

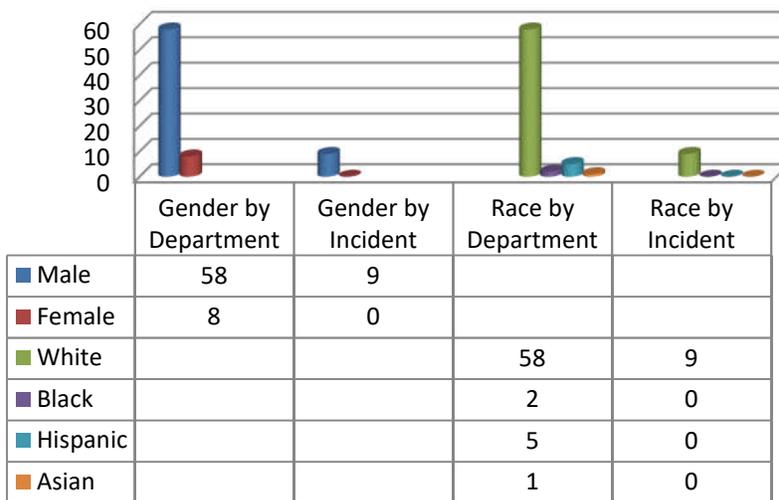
Incidents by Charge Type 2020



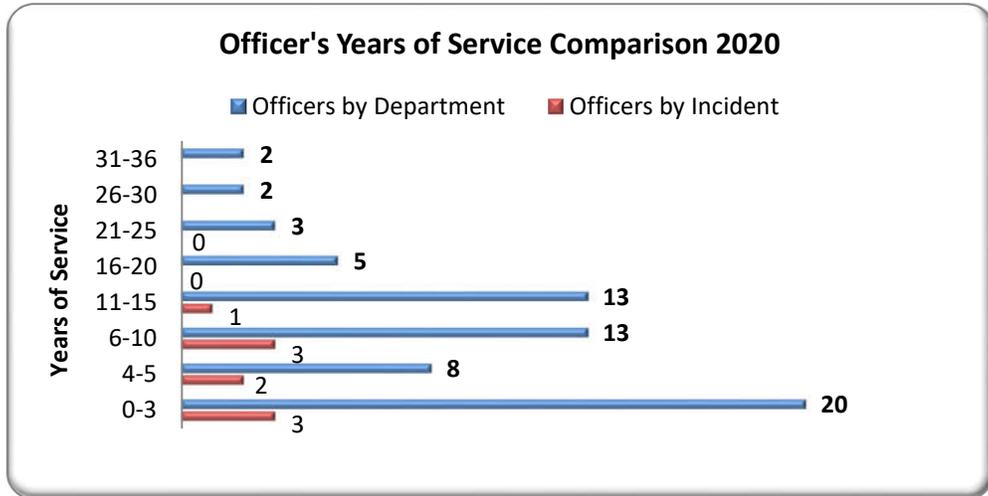
Incidents by Officer

At the end of 2020, the department was staffed with 66 sworn officers. Nine of those officers were involved in seven 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.

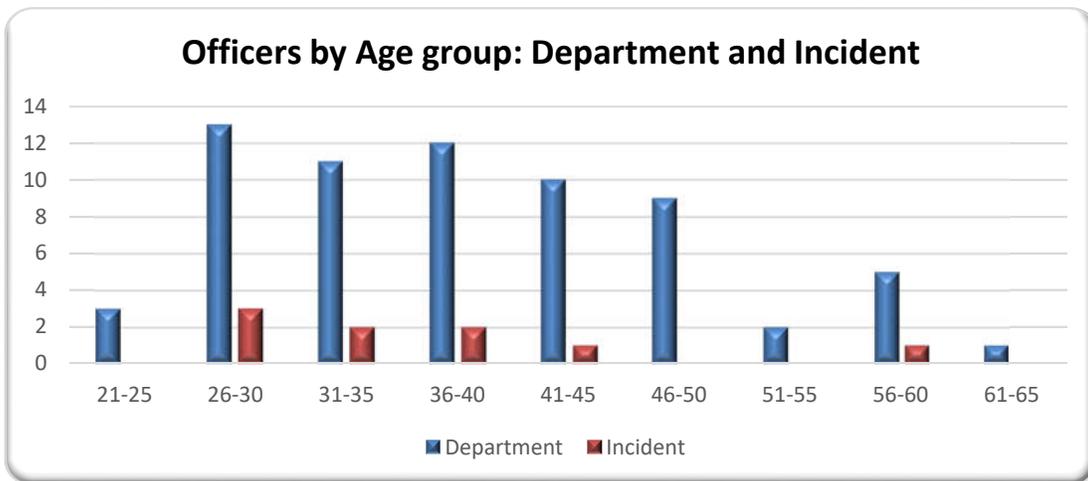
Officer Demographics by Department and Incident



An examination of the response to resistance incidents by officer's years of service showed officers with three or less years of service were involved in response to resistance incidents at the same rate as those with six to ten years of service.



The 26-30 officer age group was slightly more likely to be involved in a response to resistance incident in 2020. Of all the age groups, this group has more officers represented.



Incidents by number of officers involved

In all but two incidents in 2020, only one officer used force at the level that required a response to resistance report. In the remaining two incidents, two officers used staggered escalating force after the initial officer’s use of force was ineffective.

Same Officer Multiple Incidents

Of the seven response to resistance incidents, one officer was involved in two separate incidents. 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, one sustained a broken hand, and another suffered minor abrasions. The remaining seven officers reported sustaining no

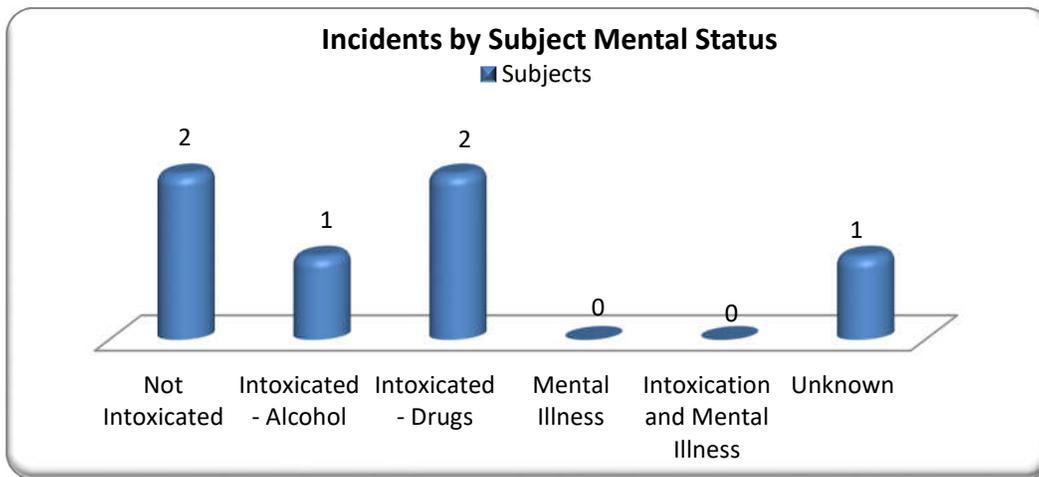
injuries. The officer with the broken hand was transported to an emergency room, while the officer who sustained minor abrasions sought self-aid.

Incidents by Subject’s Gender, Race, and Age

In 2020, the six response to resistance incidents involved only males. The race of the subjects consisted of three white and three black. These individuals ranged in age from 20 to 47. A detailed examination of each of the six incidents while considering gender, race, and age did not reveal anything remarkable.

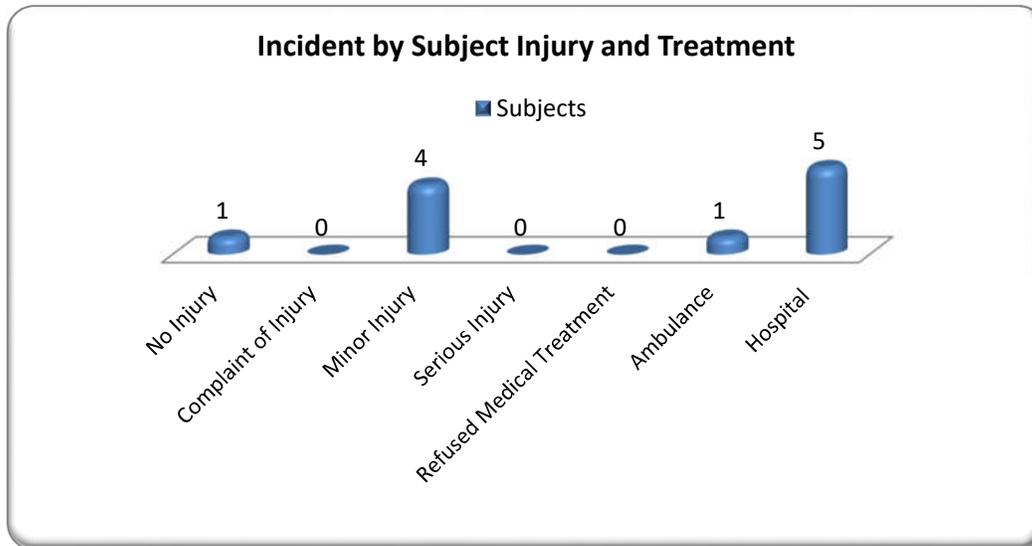
Incidents by Subject’s Mental Status

Three of the six 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 six subjects involved in response to resistance incidents, four suffered minor injury as a result of conducted electrical weapon deployment in dart mode (puncture wounds due to CEW darts). One sustained minor abrasions from the deployment of CEW in drive stun mode and was cleared at the hospital. One received no injury as the darts did not penetrate the skin due to clothing. In addition to puncture injury, three received minor scratches and scrapes related to grappling with officers and being taken to the ground. All six incidents involved the use of the CEW. In the five cases in which a subject was struck by a dart deployment of a CEW, one was not injured, one was treated by ambulance, while the remaining three were treated at a hospital.



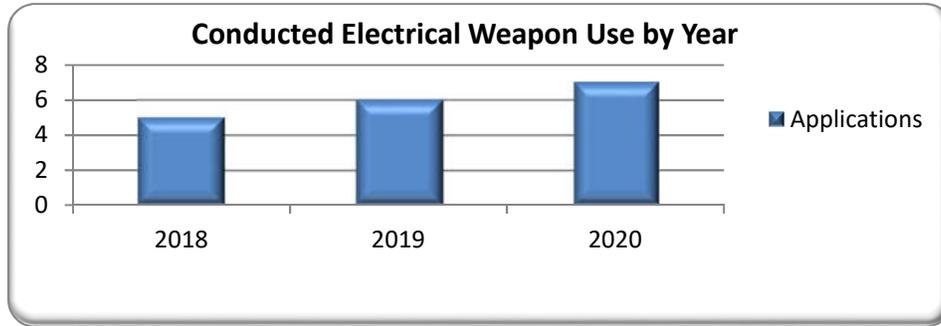
Of the six incidents resulting in a reportable use of force, four started when the suspect fled on foot. The remaining two were a result of the suspect’s escalating use of force against officers while being handcuffed.

Incidents by Officer Force Type

As a result of the seven response to resistance incidents that occurred during 2020, officers deployed the conducted electrical weapon seven times; utilized closed fist strikes two times and open hand strikes once as distractionary techniques. Officers utilized one forceful take down and discharged a shotgun to end the suffering of an animal.

Incident by Use of Conducted Electrical Weapon

During 2020, there were seven deployments of conducted electrical weapons. Six were in dart mode and one was a drive stun. Of the six applications in dart mode all but one consisted of a single five second cycle. The drive stun application consisted of one ineffective five second cycle followed by commands and an additional cycle of two seconds which gained compliance. Three of the dart mode applications were described as ineffective due to poor contact between the darts and the suspect. In the remaining three dart mode deployments, both probes connected and the deployment was described as effective. The seven deployments were three white males and three black males. In one incident involving a white male, two officers deployed CEWs. The first officer missed with one dart and after two cycles of five seconds were ineffective the second officer gave additional commands and warnings before deploying their CEW in dart mode which was immediately effective. The deployment of conducted electrical weapons continues to remain low.



Incident by Use of Firearm

In 2020, there was a single deployment of a shotgun to end the suffering of an injured deer that had been struck by a vehicle.

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.

Since the 2018 reporting cycle, 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 seven response to resistance incidents discussed in this analysis are included in the table on page eleven.

Summary

An analysis of the 2020 response to resistance incidents did not reveal any patterns or trends. However, in response to three unintentional discharges of handguns in the previous two years, the department implemented training in the safe handling of firearms under stress. There were no unintentional discharges of firearms in 2020. Beginning in 2019, the department began the process of developing a defensive tactics program to be implemented in 2020. Unfortunately, the pandemic limited in-person training opportunities. Through the use of the departments newly acquired use of force simulator, the training of department personnel and educating the public in de-escalation, defensive tactics, and use of force options will continue to be a priority in 2021. In addition, the department’s use of force policy was updated limiting “choke holds”

to deadly force, requiring a duty to intervene and report excessive force and a duty to summon aid.

Use of any force table (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	*1
Firearm Display only	48	25	31	12	12	5	0	0	133
CEW Discharge	3	0	3	0	0	0	0	0	6
CEW Display only	10	8	9	0	1	0	0	0	28
Baton	0	0	0	0	0	0	0	0	0
Chemical /OC	0	0	0	0	0	0	0	0	0
Weaponless	50	39	3	0	8	3	0	0	103
Total:	108	72	43	12	21	8	0	0	266
Total number of suspects receiving non-fatal injuries	3	0	2	0	0	0	0	0	0
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	37	14	10	4	7	2	0	0	74
Total agency custodial arrests	531	255	125	30	120	38	7	1	1107
Total use of force complaints	0	0	0	0	0	0	0	0	0

*

In 2020, there was one discharge of a shotgun to end the suffering of injured animals.