

**Response to Resistance  
Analysis  
2022**

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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 through the employees first and second level of supervision for review. 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.

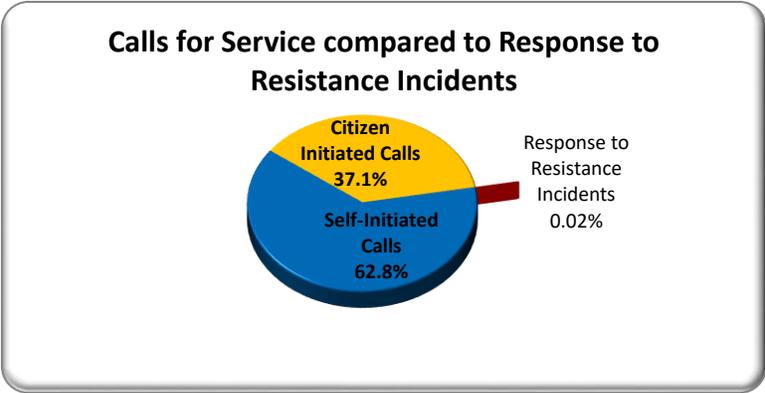
## **Policy**

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 strike(s) and, or "take down" is 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.

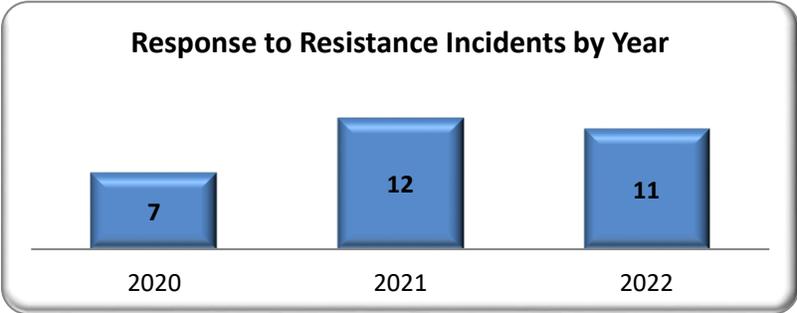
## **Incidents**

In 2022, there were eleven (11) incidents which required Response to Resistance Reports. Those incidents resulted in twelve (12) Response to Resistance Reports (one incident involved two officers using force during the same incident). In comparison, Burleson police officers responded to 55,373 calls for service; 34,799 were self-Initiated calls and 20,574 were citizen-initiated calls. Response to Resistance incidents occurred at a rate of about one for every 5,034 calls for service.



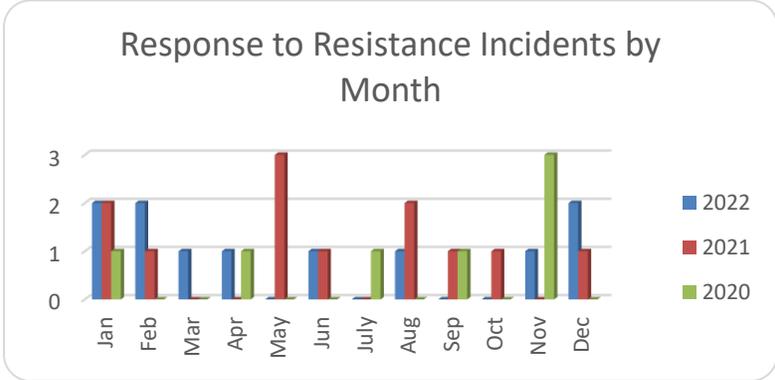
**Incidents by Year**

Use of force at the level of hard-empty hand control and higher remained consistent with the previous year.

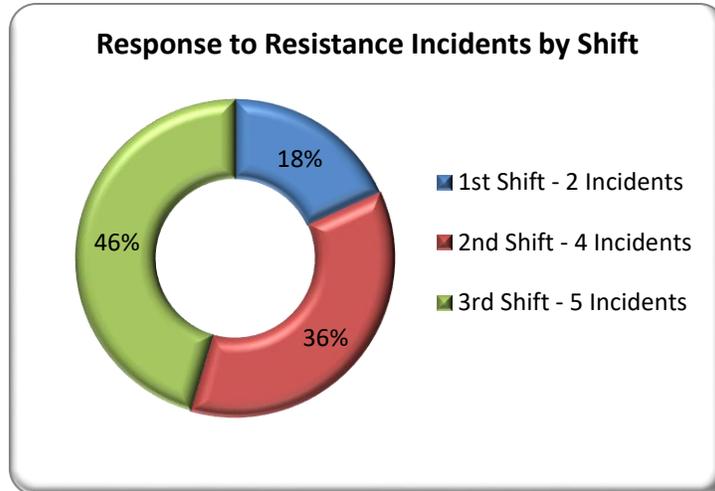


**Incidents by Day, Time, Month, Shift**

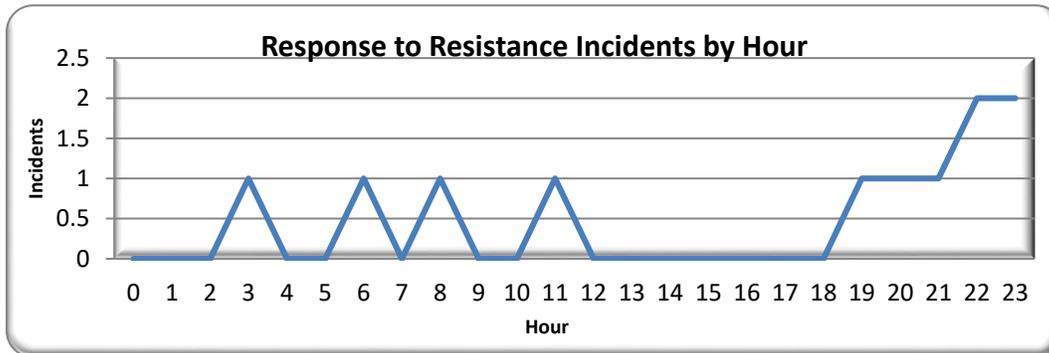
No clear patterns emerged from month to month and no parallels were noted from year to year.



The majority of Response to Resistance Incidents occurred on third shift, which was consistent with last year. There were no correlations noted between individual officers, shifts, or number of Response to Resistance incidents.



There were no patterns identified related to time of day.

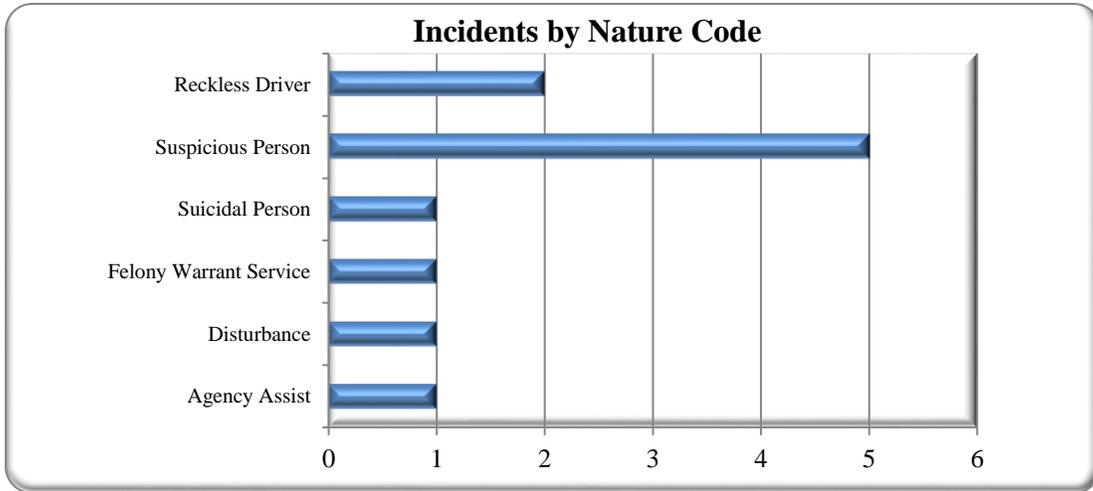


**Incidents by Call Type, Nature, and Location Type**

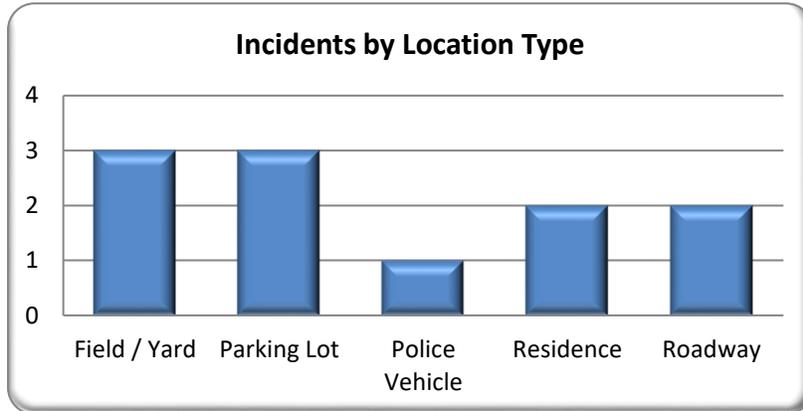
Dispatched calls accounted for the majority of response to resistance incidents in 2022, which remains consistent with previous years.



Suspicious Person calls were the dominate nature code associated with Response to Resistance incidents in 2022.

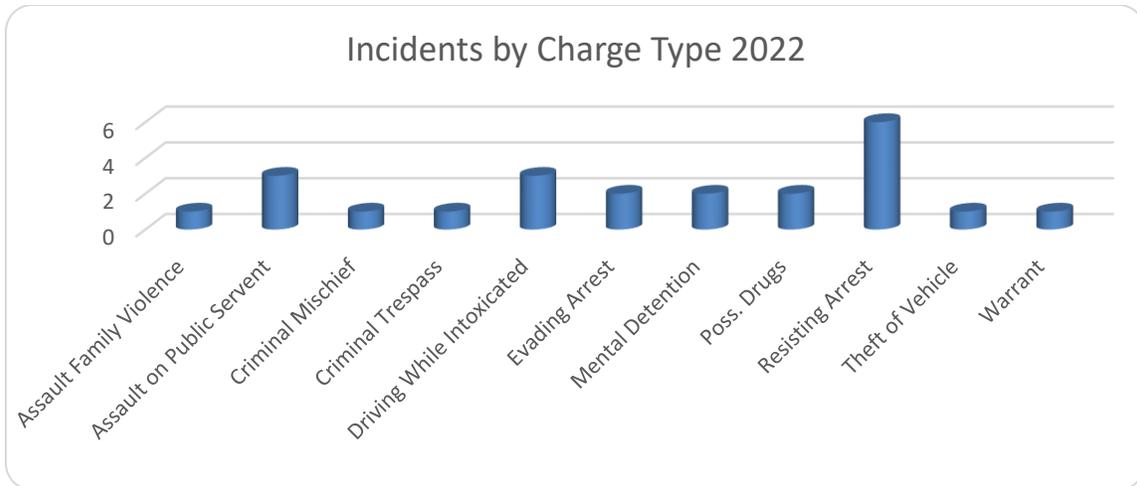


In 2022, Response to Resistance incidents occurred in fields/yards and parking lots at the same rate which was similar to last year.



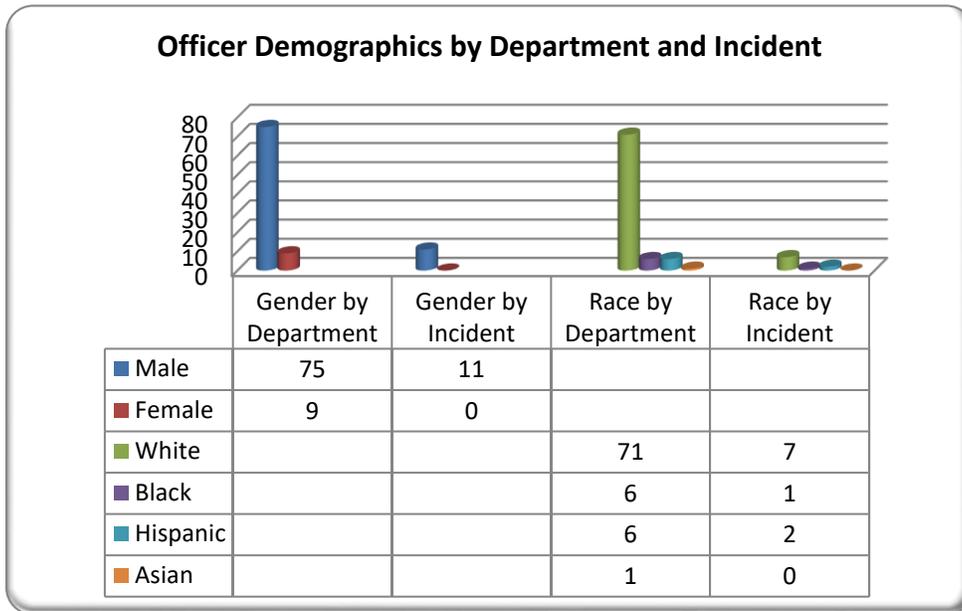
**Incidents by Disposition**

Of the 1,436 arrests made by Burleson police officers in 2022, about 3.9% (fifty-six) required the use of soft-empty hand control or below and about .76 percent (11) resulted in Response to Resistance incident at or above hard-empty hand control. Resisting Arrest was the leading charge type associated with response to resistance incidents in 2022. Burleson police officers made 219 emergency detentions for mental health in 2022. Of those, .9 percent (2) resulted in force at or above hard-empty hand control.



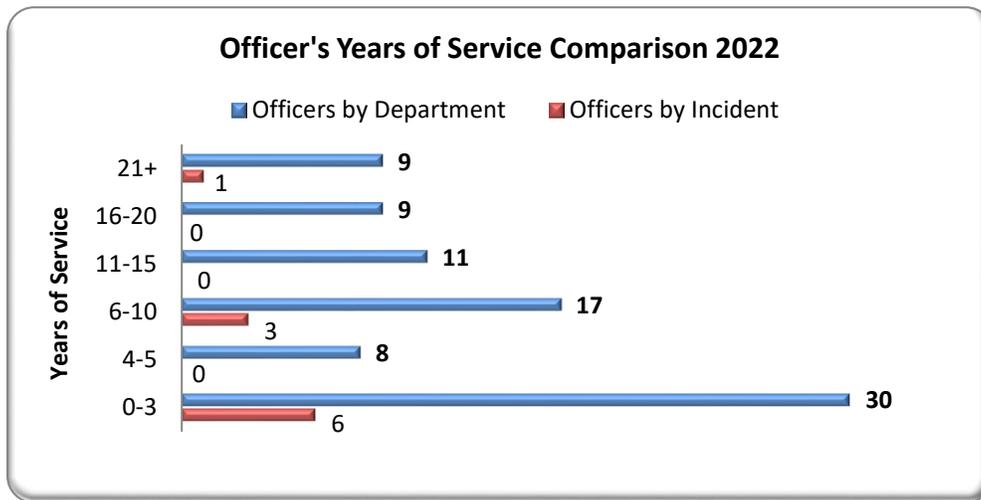
**Incidents by Officer**

As of March 29, 2023, the department’s authorized strength is 89 sworn officers. At the time of this report, the department was carrying one vacancy and has four officer positions currently attending the academy. Current staffing is 84 sworn officers, of which ten (10) were involved in use of force incidents at or above hard-empty hand control. When compared to the department’s demographics, an examination of the response to resistance incidents by officer’s race and gender revealed no irregularities.

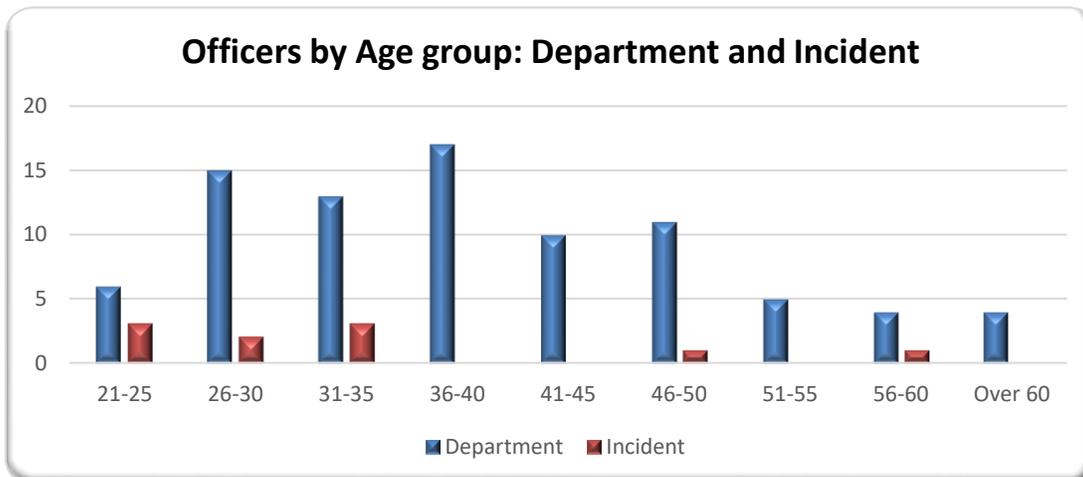


An examination of the Response to Resistance incidents by officer’s years of service showed officers with three or less years of service were involved in the majority of the Response to Resistance incidents. Given that officers in this category make up 35.7 percent of the department and almost all of those officers are assigned to patrol, it seems less remarkable. Of the officers with three or less years of experience with the department, six are twenty-five or

younger. Moreover, thirteen of those officers bring previous police experience to Burleson ranging from two years to fifteen years.



There was no clear age group that stood out as it pertained to involvement in Response to Resistance incidents in 2022.



**Incidents by Number of Officers Involved**

In all but one Response to Resistance incident in 2022, only one officer during those incidents used force at the level that required a Response to Resistance report. In the remaining incident, two officers used force at the level of hard empty hand control. One officer utilized a hard take down to destabilize a suspect who was attempting to enter a vehicle after being detained. Once on the ground, the suspect refused to present his hands for handcuffing by laying on them. In response, one officer delivered a knee strike to the torso and the other delivered a punch to the torso in order to break the suspect’s resistance so the suspect’s hands could be recovered from underneath him for handcuffing.

### **Same Officer Multiple Incidents**

Of the eleven response to resistance incidents in 2022, two officer were 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**

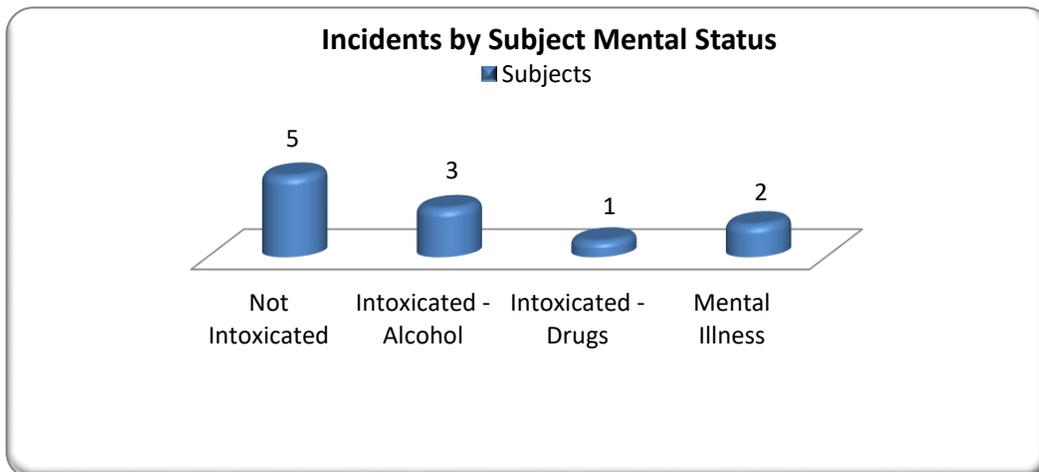
Of the ten officers involved in response to resistance incidents, three described sustaining minor abrasions and strained muscles. The remaining seven officers reported sustaining no injuries. Of the three officers described as suffering minor injuries two refused treatment and one was transported to the hospital for a sprain.

### **Incidents by Subject's Gender, Race, and Age**

In 2022, response to resistance incidents involved only males. The race of the subjects consisted of six white two black, and three Hispanic. These individuals ranged in age from 15 to 63. A detailed examination of each of the eleven incidents while considering gender, race, and age did not reveal anything remarkable.

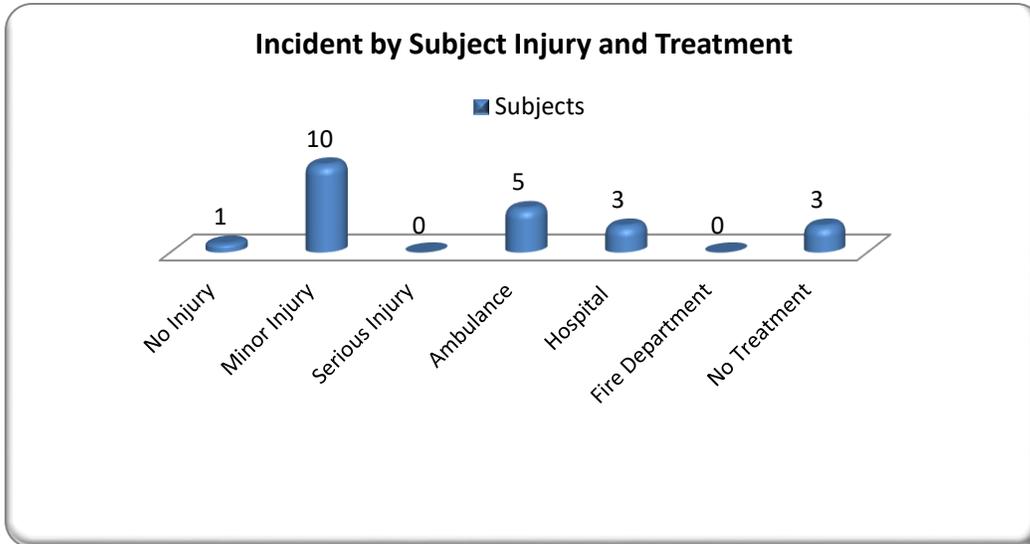
### **Incidents by Subject's Mental Status**

More than half of the subjects of Response to Resistance incidents were described as suffering from some form of altered mental state which is consistent with previous years.



### **Incidents by Subject's Injury and Resistance Type**

Of the eleven subjects involved in response to resistance incidents in 2022, ten suffered minor injury consistent with abrasions and puncture wounds from conducted electrical weapon use. Ambulance followed by hospital were the most common forms of treatment sought for those reported to have suffered injury. Two of the suspects were armed with knives and had threatened to injure themselves and others. Fleeing, dead – weight, locking out arms and legs, kicking, pulling and pushing were the most common resistance types described.

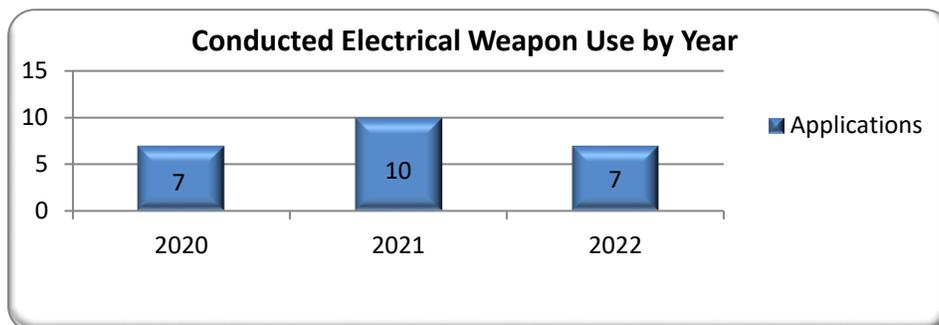


### **Incident by Use of Conducted Electrical Weapon**

During 2022, there were seven deployments of conducted electrical weapons. Five were in dart mode and two in drive stun. Of the five discharges in dart mode all but one consisted of a single five second cycle, while one consisted of two five second cycles because of continued resistance. Only one of the dart mode applications were described as ineffective due to only one dart making contact with the subject due to heavy clothing. In the remaining dart mode deployments, both probes connected and the deployments were described as effective.

The drive stun applications consisted of one five second cycle while the other was cut short due to immediate compliance. In both drive stun applications, the officers were attempting to handcuff a person who was laying on their hands and refusing to present them for handcuffing. Both applications were described as effective.

The subjects of the seven deployments were described as three white males, two black male, and two Hispanic males. The deployment of conducted electrical weapons continues to remain low.



### **Incident by Use of Firearm**

In 2022, there were no firearms discharged at suspects; however, there were two discharges of rifles. One was to end the suffering of a deer which had been struck by a vehicle and the second was an unintentional discharge of a rifle during “dry fire” practice.

### **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 are defined within the scope of 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, in 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 eleven response to resistance incidents discussed in this analysis are included in the table on page eleven.

### **Summary**

An analysis of the 2022 response to resistance incidents did not reveal any significant patterns or trends; however, the unintentional discharge of a rifle during “dry fire” practice resulted in a directive from the Range Master ending “dry firing” practice within the police department and inserting other nonlethal option to replace that method of training. The department remains committed to the implementation of a defensive tactics program in 2023.

Use of any force table (2022)

SWORN PERSONNEL	WHITE		BLACK		HISPANIC		OTHER		TOTAL
	M	F	M	F	M	F	M	F	
89									
<b>Firearms</b>									
Discharge	1	0	0	0	0	0	0	0	0
Number of Suspects Receiving Non-Fatal Injuries	0	0	0	0	0	0	0	0	0
Number of Suspects Receiving Fatal Injuries	0	0	0	0	0	0	0	0	0
Displayed Only	36	0	28	3	2	1	0	0	70
<b>ECW</b>									
Discharge	3	0	2	0	2	0	0	0	7
Displayed Only	13	0	5	2	2	0	0	2	24
<b>Baton</b>	0	0	0	0	0	0	0	0	0
<b>Chemical / OC</b>	0	0	0	0	0	0	0	0	0
<b>Weaponless</b>	162	39	70	18	43	7	3	4	346
<b>Canine</b>	0	0	0	0	0	0	0	0	0
Release only	0	0	0	0	0	0	0	0	0
Release and bite	0	0	0	0	0	0	0	0	0
<b>Total use of Force</b>	214	39	105	23	49	8	3	6	447
<b>Total Number of Incidents Resulting in Officer Injury or Death</b>									3
<b>Total Use of Force Arrest</b>	22	11	11	3	6	2	1	0	56
<b>Total Agency Custodial Arrests</b>	596	306	180	52	233	59	7	3	1436
<b>Total Use of Force Complaints</b>	2	1	0	0	0	0	0	0	3