

MEMORANDUM
BURLINGTON POLICE DEPARTMENT



TO: Chief Thomas Browne
FROM: Captain Daniel Hanafin
DATE: July 2024
RE: Annual Review of Use of Force 2023

Chief Browne,

I have conducted a review of the Burlington Police Department's use of force reports for 2023. I have also provided a quantitative use of force data analysis for your review and publication.

Through the course of 2023 there were 19 separate incidents where some level of force was used by members of the Burlington Police Department requiring reports to be filed. Of those 19 incidents, 10 required use of force reports from multiple officers on scene. There were a total of 33 use of force reports filed in 2023 by 19 different officers.

Types of Force Used (total reports)

- 32 Hands on (greater than compliant hand cuffing)
- 1 Oleoresin Capsicum (OC) Spray
- 0 Baton Used
- 1 Taser (Pointed Only)
- 0 Firearm (Drawn/Pointed/Fired)
- 0 40MM Less Lethal

Use of Force Incidents Per Shift

- 12:AM – 8:PM 3
- 8:AM – 4:PM 3
- 4:PM – 12:AM 13

Day of the Week Breakdown

- Sunday 4
- Monday 1
- Tuesday 1
- Wednesday 3
- Thursday 4
- Friday 3
- Saturday 3

Reason for Force – (may be more than one reason per incident/report)

- Subjects own safety 21
- Effect arrest 18
- Self-defense 15
- Defense of another 12
- Prevent Escape 4

Nature of the Incident/Call Type

- Psychological/Section 12 6
- Arrest 8
- Domestic 3
- Disturbance 2

Contributing Factors (may be more than one contributing factor per incident)

- Alcohol intoxication 10
- Drug impaired 6
- Mental health issues 13

Race of Subject Involved by Total Number of Reports (not incidents)

- Southeast Asian/Indian 1
- Middle Eastern 2
- Black 6
- Hispanic 2
- White 22

Use of Force Incidents by Gender

- Male Subjects 11
- Female Subjects 8

Analysis: Hands-on contact controls and compliance techniques made up the overwhelming majority of use of force applications in 2023. You may note from the numbers above, only in one instance was the threat of force with a taser used to gain compliance (this means the laser sights were pointed at an individual and they were told they would be tased if they did not comply, which they did.) Likewise, one incident required the use of OC/pepper spray to bring an intoxicated suspect under control in an arrest situation.

As you know, a use of force report is required by policy for anything beyond cooperative handcuffing. This would include techniques such as contact controls, wrist/joint manipulation, distraction techniques, and strikes or blows with empty hands. (It should be noted that none of the applications of hands-on use of force were strikes or blows.)

In reviewing the narratives and circumstances of these incidents, in each case, the force used was in an effort to either gain control or to deescalate the actions of the subjects rather than offensively applied force. Further, the decisions to use force in each situation

were reasonable and proportionate based on the subject's actions and the prevailing government interest in the case.

Overall, the theme of 2023 was more about the exercise of restraint than the application of force. In fact, critical review of the incidents and reports from those force applications revealed that in a number of instances the officers would have been justified to take stronger action and use a greater level of force based on the subjects' actions.

I believe this indicates that our departmental use of force/de-escalation training is effective and productive. Our tactical training unit continues to instruct proper mindset as the difference maker between proper and improper use of force. When this is reinforced through regular rollcall discussions and debriefs of calls for service, we continue to improve upon our departments "guardian mindset" and culture.

Recommendations: I believe moving forward we are in need of a block of technical defensive tactics training in the next budget year. This is needed to hone the perishable skills required for swift conclusive control of volatile situations. With proper practiced technique, control and defensive tactics are more effective and safer for officers and the subjects they are necessary to control. I would recommend a four-hour block of instruction for the department. The training should focus on recognition of volatile situations, control and restraint techniques, ground defense, and handcuffing in non-compliant situations. It is important to reiterate and note that the foundation of all of our tactical training - to include use of force and defensive tactics - is mindset, verbal persuasion, de-escalation efforts, and doing the right thing no matter the circumstances.

Respectfully Submitted,

Daniel J Hanafin
Operations Captain