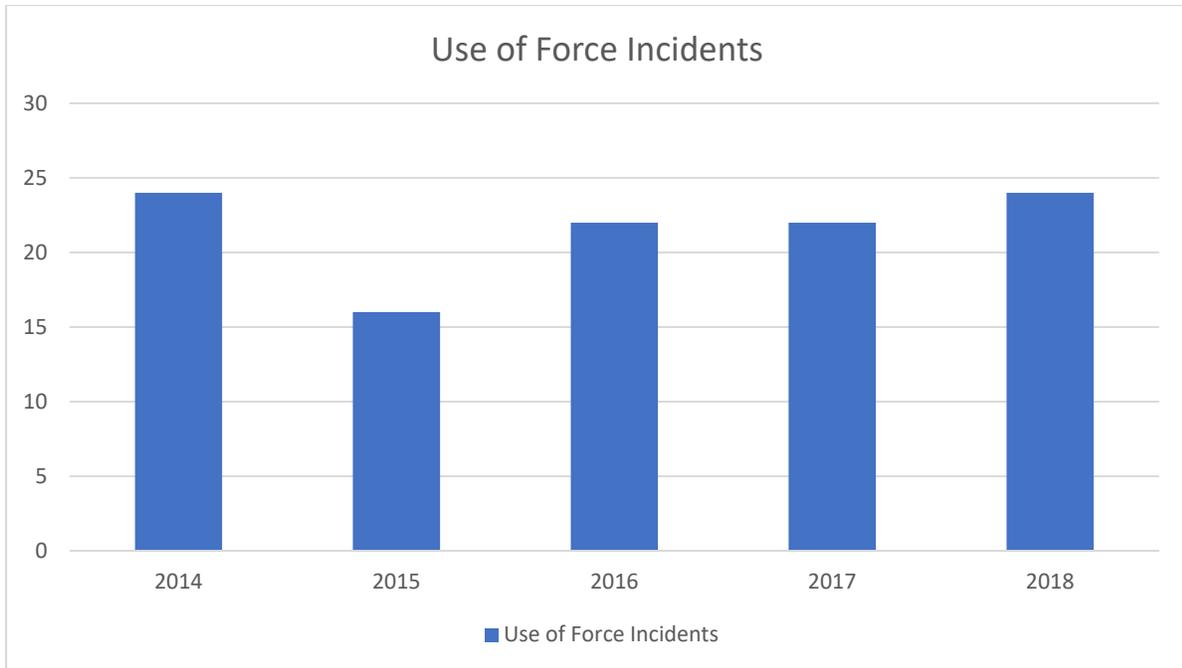


**To: Chief Jason Lavoie**  
**From: Captain William Avery**  
**Date: January 2, 2019**  
**Ref: 2018 Use of Force Analysis Report**

Attached is the 2018 Use of Force Analysis Report. I conducted an analysis of all Hudson Police Use of Force incidents.

**Total Use of Force Incident(s)**

In 2018, there were twenty-four (24) instances where officers were required to use force while conducting their duties. All of the incidents were justified under the Hudson Police Department Policies and Procedures, and New Hampshire State Law. In 2017, there were also twenty-two (22) incidents involving the use of force. In 2018, there were seventeen (17) instances where the Animal Control Officer(s) or a Police Officer was authorized to euthanize an injured or sickly animal. In 2017, there were 12 instances where the Animal Control Officer(s) or a Police Officer was authorized to euthanize an injured or sickly animal.



\*\*Information regarding the Animal Euthanization is not accounted for in the Use of Force Analysis.

### Use of Force Incidents

More Use of Force incidents occurred on Monday (6) than any other day of the week. The second most Use of Force incidents occurred on Tuesday (5), followed by Wednesday (4), Friday (3). Sunday, Thursday and Saturday each day had two (2) incidents. A Squad (0700-1500) had ten (10) Use of Force Incidents, B Squad (1500-2300) had eight (8) Use of Force incident, and C Squad (2300-0700) had six (6).

### Injuries

In 2018, there were six (6) Use of Force incidents resulting in the suspect being injured. In 2017, the same number of suspects were injured during Use of Force incidents. All of the injuries were minor in nature. The injuries included; rib soreness, shoulder pain, neck & back pain, rug burn, minor cuts on the wrist from the handcuffs, and a scratch on the ear.

In 2018, the Hudson Police Department had four (4) officers injured during a Use of Force incident. Again, the injuries were relatively minor, and consisted of; scrapped knee, rug burn,

shoulder & back soreness and a cut finger. None of the injuries resulted in the officers missing work.

### **Assaults on a Police Officer**

In 2018, four (4) Hudson Police Officers were assaulted during the course of gaining compliance from a suspect(s), while in 2017 zero (0) officers were assaulted. The assaults on the officer(s) consisted of being kicked in the thigh, kicked in the leg, kicked several times by a female juvenile, and being punched in the face.

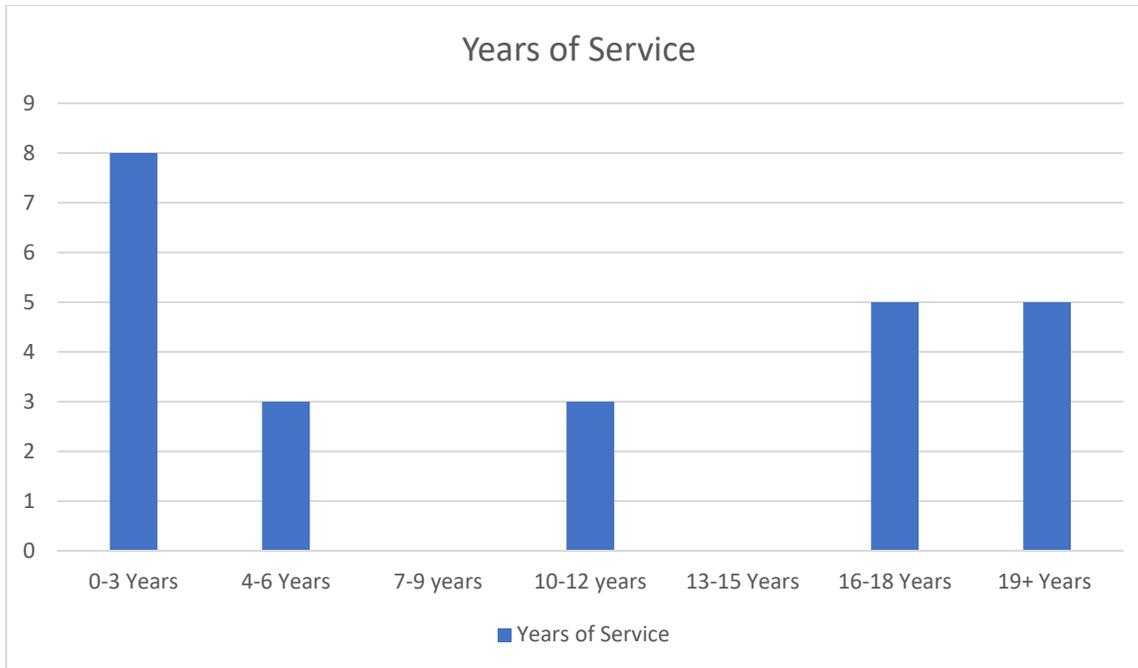
During my analysis of the Use of Force incidents for 2018, it was apparent the officers involved in each Use of Force incident reverted back to their defensive tactics and officer safety techniques. The Hudson Police Department's Defensive Tactic Instructors have done an exceptional job preparing the officers for Use of Force encounters with unruly individuals. The officers also displayed "good decision making" during several incidents throughout the year; knowing when to disengage vs. physically engaging a suspect may be a contributing factor why the injuries to the officers were minor.

As you will see below, the Hudson Police Department did not deploy their Tasers or OC during 2018, even though they would have been more than justified in several occasions. Although, they did not deploy other less lethal Uses of Force; the officers were able to quickly gain compliance of the suspect(s).

### **Officers Age and Years of Service**

In 2018, the average of the officers involved in Use of Force incidents was 34.54 years old; while the average age of the Hudson Police Sworn Officers is 37.21 years old.

This is the fourth (4th) year I have tracked the years of service of the officers involved in Use of Force situations. For the fourth (4<sup>th</sup>) year in a row the Hudson Police Administration is seeing a trend that younger, and inexperienced officers are more apt to resort to using force compared to more seasoned officers. Eight (8) Use of Force incidents were from police officers who had 0 to 3 years of service while the average years of service on the Hudson Police Department is 10.33. Traditionally, the officers with 5 or less years of experience are assigned the Patrol Division, and are more apt to be involved in Use of Force situations.



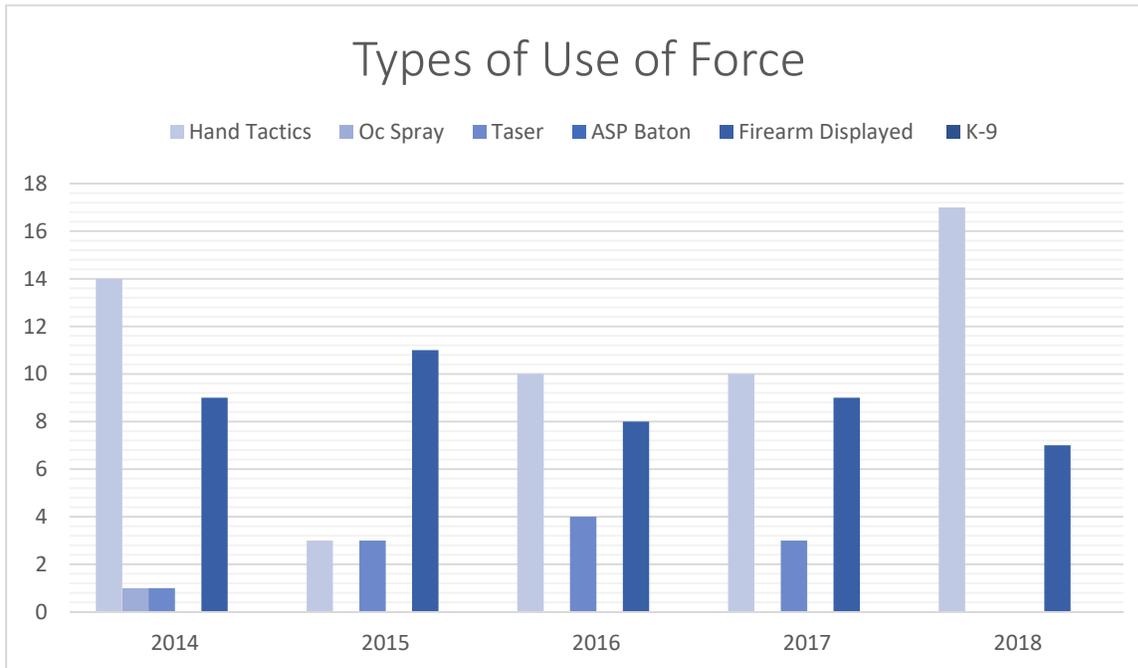
### Situation

- The two most common initial calls that resulted in a Use of Force incident was officers responding to a disturbance (six), Initiating an arrest had (five); followed by individuals who were suicidal, and people with mental illnesses (four). (Two) incidents happened during motor vehicle stops and (two) occurred during the booking process. (One) incident occurred while officers/detectives were conducting a search warrant.
- Each incident involving Use of Force there were sufficient police personnel present or additional officers were responding (in close proximity) for backup.
- Eight-teen (18) of the Use of Force incidents involved uniform officers. Four (4) of the incidents involved the Detective Division, however uniformed officers were present; and two (2) of the incidents involved School Resource Officers.
- In each of the seven (7) cases where the officer(s) displayed a firearm, the officers were justified based on the fact they were investigating a felony, or the officers were conducting a felony take down during a motor vehicle stop or executing a search warrant.

### Types of Force Used

The most common types of force used in 2018 were officers using defensive tactic techniques to gain compliance. This occurred on seventeen (17) occasions. Officers' displaying their

firearms to gain control of a suspect occurred on seven (7) occasions. Officers did not deploy their Taser Weapon system, ASAP, OC nor was the K-9 used to apprehend a suspect.



### Suspect Information

Males were involved in Use of Force situation in nineteen (19) instances, while five (5) females were involved. The average age of both male and female suspects was 28 years old. The oldest person was 62 years old while the youngest was 12 years old.

### Areas of Town

After a careful analysis of all Use of Force reports; I was able to determine that one area/sector is more apt to deal with a Use of Force incident than other areas/sectors. The Use of Force incidents were geographically spread out throughout Hudson.

### Training Issues

I have conducted a careful review of all Use of Force incidents, and I have not identified any areas of concern. The officers who were involved in a Use of Force incident performed exceptionally and professionally. All incidents of Use of Force followed the Hudson Police Department Policies and Procedures.

During the 2018 Use of Force Training; the Defensive Tactic Instructors focused on several techniques to help the officers with individuals who are non-compliant. The areas of focus

included: Patterns of Movement, Use of Oleoresin Capsicum, Handcuffing, and Ground Fighting Techniques.

As mentioned in the 2017 Use of Force Analysis Report the Hudson Police Administration and Defensive Tactics Instructors were going to have officers trained in de-escalation techniques. During 2018, the Hudson Police Training Committee sent officers to two schools; De-escalation Techniques and Communicating without Conflict.

### **Use of Force Complaints**

On 13 June 18 the Hudson Police Administration receive a third party (mother of juvenile) complaint regarding an officer using excessive use of force in the way that he escorted the female to the ground. Chief Jason Lavoie assigned the Internal Investigation to Captain William Avery to investigate.

The Hudson Police were dispatched to 107 Lowell Road for a male subject who was suicidal. Upon the officers arrival the 20 year old male and his 15 year old sister refused to come out of the house to speak with the officers. Their mother was the reporting party, and was also responding to the house from work. The initial officers on scene made contact with both the female and the male, however they retreated back inside the house. The Hudson Police had received information the male had previously been in possession of firearms. Due to this a perimeter was set up, and Administration set up a Command Post in a business parking lot in relatively close proximity to the house.

Captain William Avery briefly met with the mother upon her arrival to the Command Post, and had the mother call her son on the phone. After their brief conversation Captain Avery spoke with the male (suicidal person). The male immediately stated he would come out of the house to speak with the officers on the perimeter. A short time later the male exited the house and MPO Morrissey made contact with him, and was in the processes of searching the male for weapons when his sister became enraged, and began trying to interfere with MPO Morrissey's efforts to properly search the male. MPO Lischinsky intervened, and grabbed the 15 year old females arm. She continued to scream and began to pull away from MPO Lischinsky in an attempted to get to MPO Morrissey and her brother. MPO Lischinsky escorted the 15 year old female to the ground where she was handcuffed. Neither MPO Morrissey nor any other officer struck the female or used excessive force in securing her in handcuffs. MPO Lischinsky was EXONERATED from the complaint.

I have further conducted an annual analysis of Use of Force incidents and our current policies; based upon the review, I did not identify any areas of the policy that needs to be modified.

## Summary

The highlights of this analysis are listed below:

- 24 Use of Force Reports
- 6 Suspects received minor injuries
- 4 Officers received minor injuries
- 4 Officers were assaulted
- Average age of Suspects: 28 years old
- Average age of Officers involved in Use of Force incidents: 34.54 years old
- Average age of the Hudson Police Department: 37.21 years old.
- Average years of service of Officers involved in Use of Force incidents: 10.33 years
- Average years of service of Hudson Officers: 11.31