



2022

# Use of Force Analysis



## Tiverton Police Department

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# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Contents

.....	1
Executive Summary.....	3
Policy Information and Reporting Parameters .....	5
5-Year Review .....	6
Analysis and Discussion.....	7
Time Aspects of Force Application.....	8
Use of Force Demographics and Location .....	10
Force Methods - Tools, Types and Tactics .....	12
Injuries as a Result of Force Application .....	13
Department Funded Brazilian Jiu-Jitsu Program.....	14
Conclusion.....	15

# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Executive Summary

The Tiverton Police Department (TPD) has concluded its annual use of force analysis for the 2022 calendar year. This analysis was completed by Lieutenant Bryan Palagi who is in his 12<sup>th</sup> year of service as an officer with the Tiverton Police Department and is currently assigned to the Department's Planning and Training Division.

Lieutenant Palagi serves as the department's senior use of force instructor and lead force investigator. He has served as a lead use of force instructor for the Rhode Island Municipal Police Training Academy for over 10 years and has also instructed at both the Providence Police Academy and Rhode Island State Police Academy. Among his many use of force certifications, Lieutenant Palagi has also completed courses on Use of Force Analysis and Force Investigation for Police Leaders.

Throughout the entirety of the 2022 calendar year, the Tiverton Police Department has utilized a cloud based software known as SHIELD for multiple purposes to include use of force recording. The SHIELD suite contains a section referred to as "FACTS" which tracks the department's use of force information (commonly referred to as "response to resistance") and even provides early warnings to supervisors regarding their officers' force applications. Early intervention warnings are triggered if an officer is involved in 3 or more force applications in a 90-day period. This is consistent with department policy.

Each time an officer is involved in a situation where he or she used force, that officer logs onto their SHIELD account and creates a response to resistance report. Each report contains information for the officers involved, the suspect(s) involved, the location of incident, the types of force used, charges brought against the suspect (if necessary), injuries sustained (if any) and so forth. This report is forwarded through the chain of command to the lead use of force instructor and investigator (LT Palagi) and then to the Uniform Division Commander (Captain Michael Miguel). For any force application involving one of these two reviewers, Deputy Chief James Costa steps in to take over these duties.

Additionally, the Tiverton Police Department's Records Management System (RMS) and Computer Aided Dispatch (CAD) systems were utilized to acquire the remainder of information concerning general department data/statistics.

In 2022, the officers of the Tiverton Police Department responded to **15,357 calls for service**. Officers made **920 arrests** during the calendar year and were involved in **17 applications of force**. It should be noted that calls / incidents, may have required more than one application of force depending on the number of suspects at a given scene and the officers present to control the situation. It should also be noted that **arrests accounted for 15 of the 17**

# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



**force applications, the other 2 applications were the result of incidents regarding mental health calls for service.** One of the arrests in question did not take place in Tiverton, the force application resulted after 2 Tiverton Police Officers answered a mutual aid call to assist members of the Little Compton Police Department.

For the purposes of this report, conclusions drawn will regularly relate to the correlation between the application of force and the conducting of arrests by officers of the Tiverton Police Department. This is done due to the overwhelming number of force applications that occur during arrests as oppose to other incidents/call types.

In essence, the officers of the Tiverton Police Department **used force in approximately 0.1% of the calls for service they tended to, and approximately 1.8% of all arrests made in 2022.** In other words, a physical confrontation/resistance occurred in **less than 2 out of every 100 arrests and approximately 1 out of every 1,000 calls for service.** For comparison, the Department of Justice (DOJ) released information presented at the Use of Force Summit in late November 2022 that indicated that approximately 4% of all arrests nationwide involve use of force. **The Tiverton Police Department uses force at a rate that is less than half of the national average.**

Compared to the statistics from 2021, officer use of force remained consistent. The data resulted in virtually no difference in force used when measured against calls for service and an increase of .03% in regard to force used when measured against arrests conducted by this department. This conclusion validates the training being taught to and retained by officers of the Tiverton Police Department.

The following analysis has been published to provide the reader with an in-depth and transparent view into the many components and variables as they relate to the application of force by officers of the Tiverton Police Department.

# TIVERTON POLICE DEPARTMENT

2022 Use of Force Analysis



## Policy Information and Reporting Parameters

The Tiverton Police Department follows the mandates set by the state of Rhode Island and the standards set by the Rhode Island Police Accreditation Commission (RIPAC) in regard to use of force policy. In 2020, a model use of force policy was released and enacted at this police department.

Officers of the Tiverton Police Department complete response to resistance reports in accordance with General Order 390.10, "Use of Force" (Updated 12/07/2020) which defines a reportable use of force as any incident in which a sworn department member exercises his/her police powers and uses a force option.

Reportable uses of force also include:

- a. Drawing and pointing a firearm or Electronic Control Weapon (ECW / Taser) at a person for the purpose of obtaining and/or maintaining control of that person.
- b. Taking an action that results in, or is alleged to have resulted in, either injury to or the death of another person.

Exceptions to reportable force include:

- a. Command presence.
- b. Verbal commands.
- c. Physical skills which does not result in injury, the appearance of injury, or the complaint of pain (ex. soft empty-hand control techniques).
- d. Compliance handcuffing which does not result in injury, the appearance of injury, or the complaint of pain.

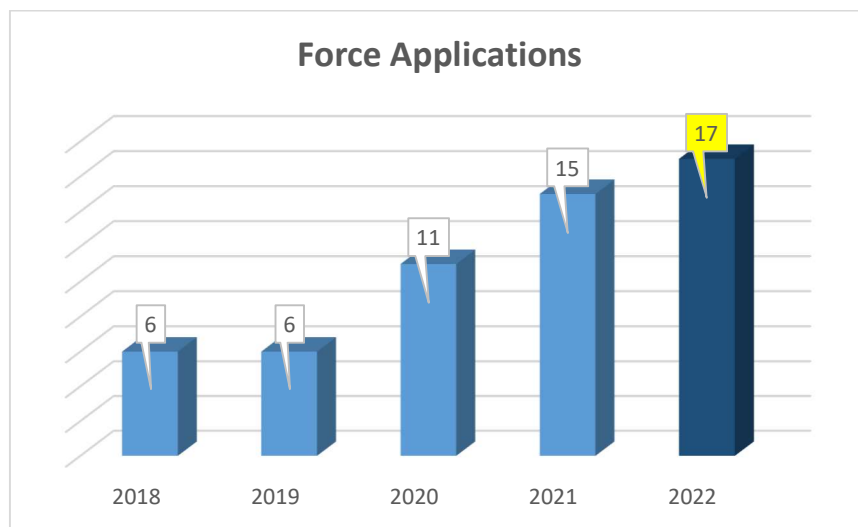
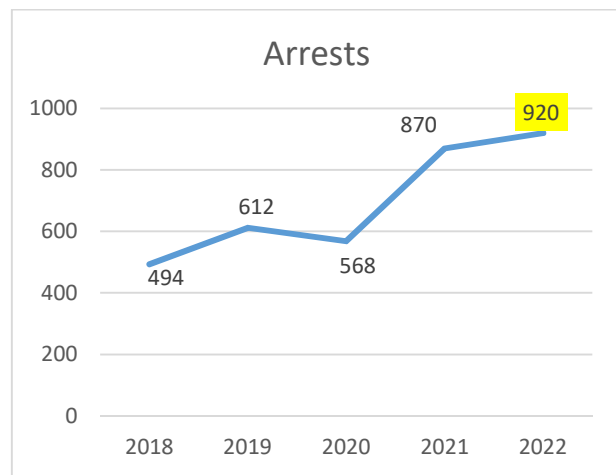
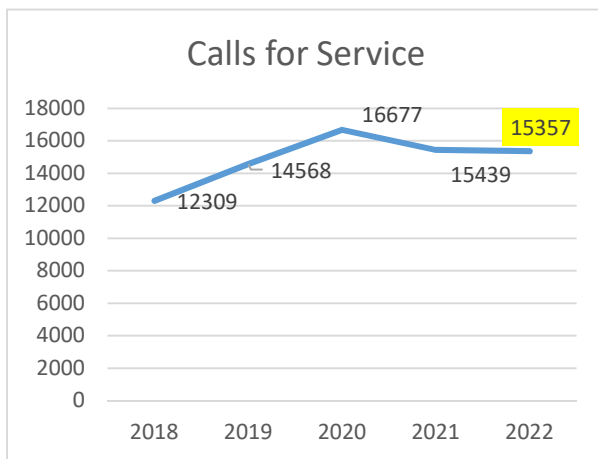
# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### 5-Year Review

In 2022, the Tiverton Police Department responded to 15,357 calls for service which is a decrease of approximately 1% from the previous year (15,439 in 2021). This figure is still well above the 5-year average of 14,870 calls for service. However, the number of arrests conducted by the Tiverton Police Department in 2022 was 920, which was a 6% increase over the previous year (870 arrests in 2021) and well above the 5-year average of 804 arrests. Along with this increase, the number of force applications increased by 12% from 15 in 2021 to 17 in 2022.



# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Analysis and Discussion

After comparing all the figures presented, the increase in force applications does not appear problematic. Despite the fact that it is merely a net increase of 2 total force applications over an entire calendar year, 12% on its own would not appear to be a relatively small increase.

Given that the Tiverton Police Department also saw an increase in the arrest rate of approximately 6% (870 arrests in 2021 to 920 arrests in 2022), the increase in force applications was only a total of 2 with an increase in arrests made of 50. Despite these increases, the comparison between the force applications in 2022 and the preceding 4 years has resulted in virtually identical findings. On average, 1 to 2 force applications have occurred per 100 arrests during the 5-year period from 2018-2022. As noted in the Executive Summary, this figure is less than half of the national average.

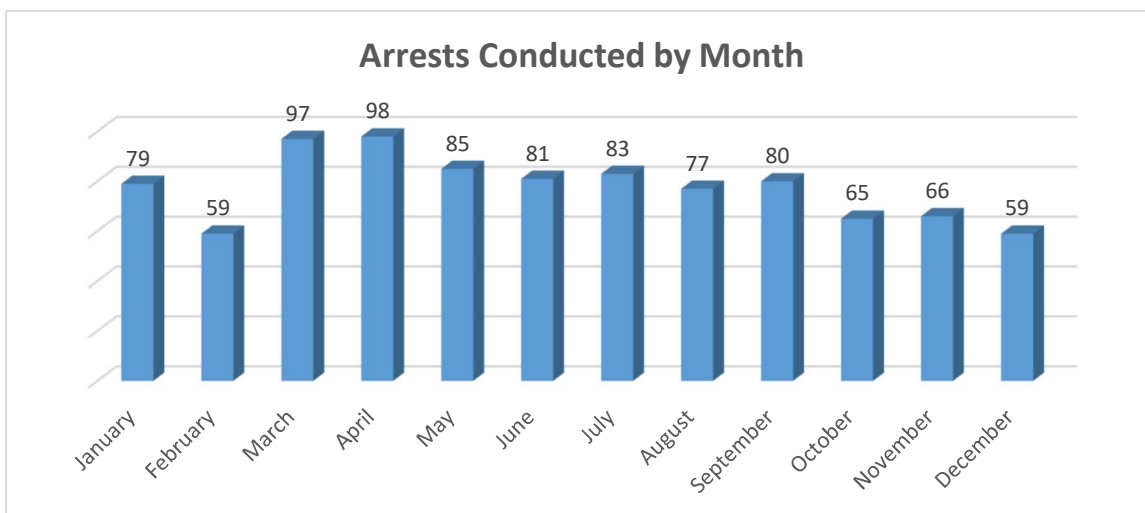
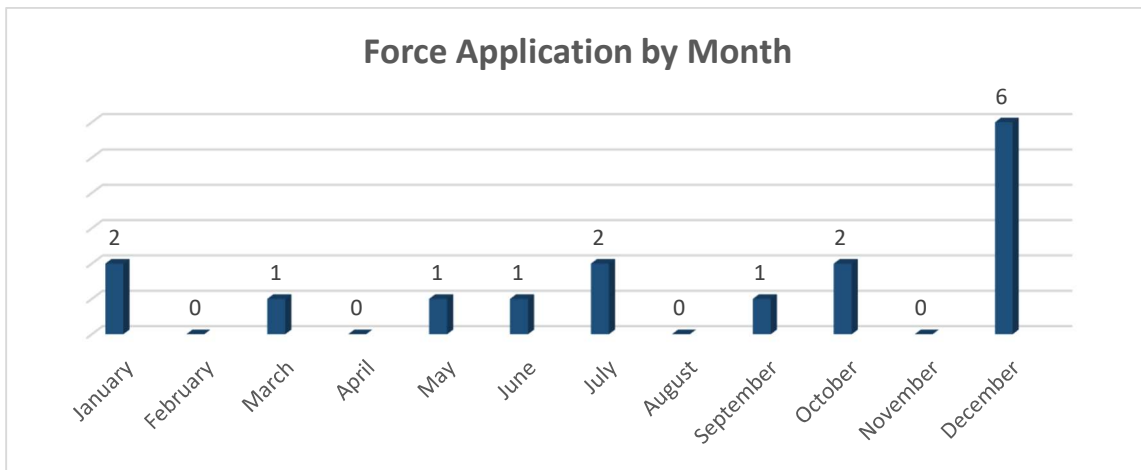
# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Time Aspects of Force Application

Below are two exhibits that display the breakdowns by month of force applications and the number of arrests made. Officers of the Tiverton Police Department used force in 8 of 12 months. There is normally and increase in call volume (both calls for service and proactivity) during the summer months for obvious weather-related reasons. Although there does not appear to be any rhyme nor reason to the application of force by month, there is no visible correlation between the number of arrests conducted and the use of force totals for that given month. In December 2022, officers responded to 4 incidents at the Bally's Tiverton Casino in a span of 2 weeks where arrests were made and force was applied.



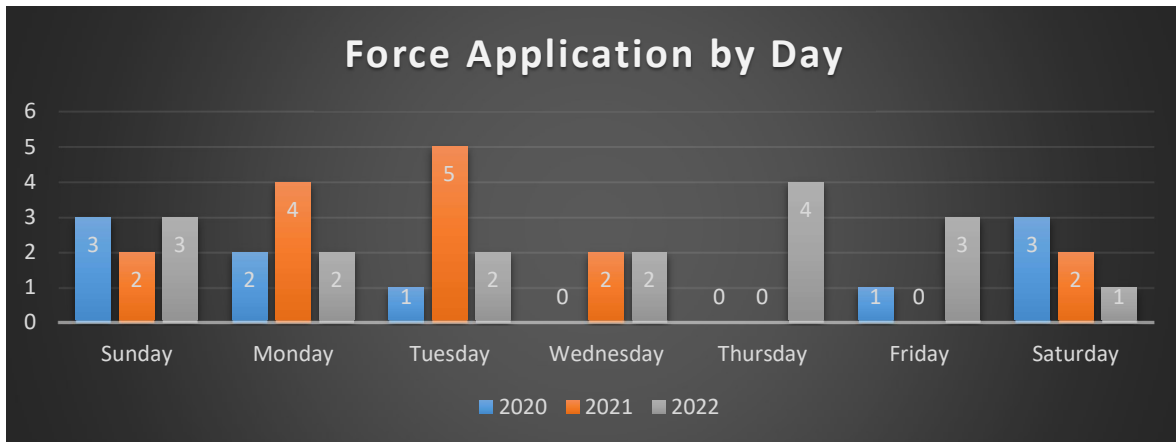


# TIVERTON POLICE DEPARTMENT

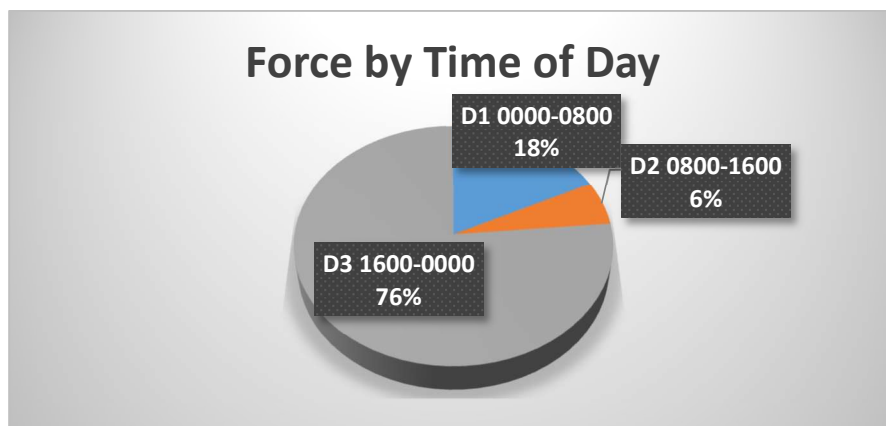
## 2022 Use of Force Analysis



In regard to force application by day of the week, there does not appear to be any correlation throughout the year 2022 or in regard to comparison with the previous two years. Given the fact that 29% of the Tiverton Police Department's entire force application in 2022 took place at the Bally's Tiverton Casino, it could be inferred that the influx of patrons to the casino daily could be the reasoning behind this sporadic display. However, there is not enough data to definitively tie this reasoning to the data collected.



When force application is broken down by shift, a vast majority of use of force incidents are shown to occur during the afternoon/evening hours. The D3 shift (1600-0000) is when the Tiverton Police Department has seen over 75% of its total force applications for the entire 2022 calendar year. This finding is to be expected given the prevalence of intoxicating liquor and/or drugs during the mentioned hours along with other entertainment and work-related factors.



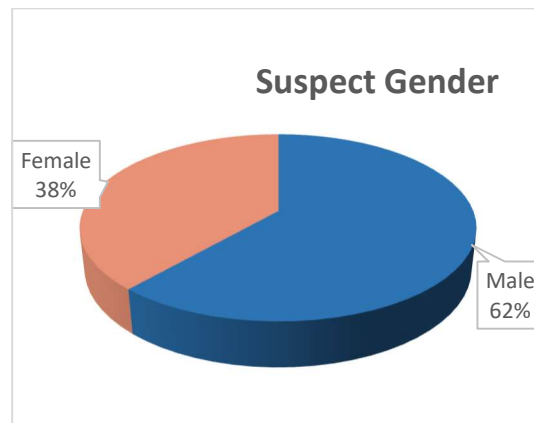
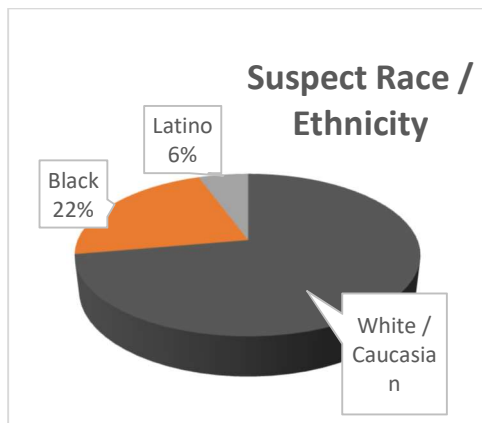
# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Use of Force Demographics and Location

It is important to recognize that when looking at the data included in this report to consider the fact that breaking down the actual force application is looking at only 17 data entries. As such, only general conclusions can be gathered by exploring this data.

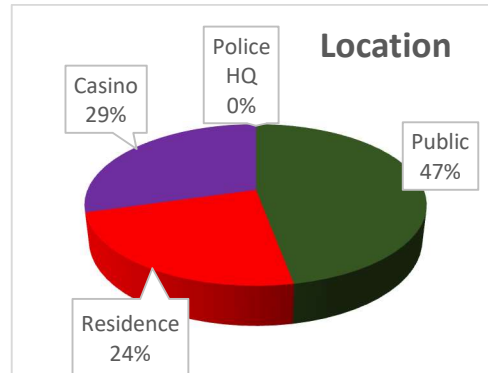


Looking at suspect race and ethnicity for force applications, the 17 response to resistance reports indicated that 13 or 72% of the suspects involved were white/Caucasian. The remaining 28% is made up of suspects that identified as being black or Latino/Hispanic, 22% and 6% respectively.

With respect to gender, 13 out of the 17 instances (62%) where force was applied was involving male suspects. Only 5 instances or 38% of the use of force situations involved female suspects. Note: In one of the force applications, both a male and female were involved hence the total of 18 parties listed in regard to the 17 force applications.

# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



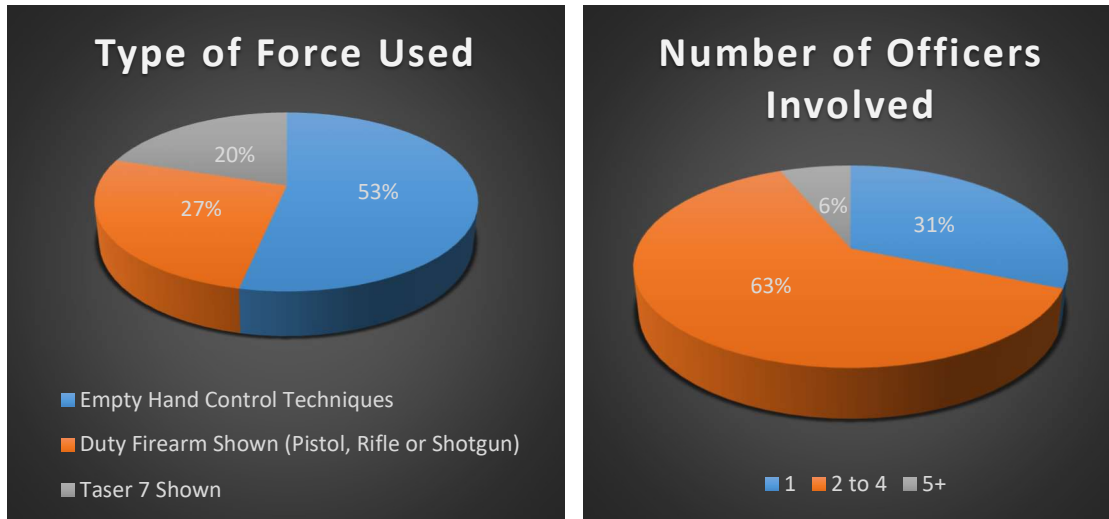
In regard to location, all of the use of force incidents in 2022 took place in either a residence, public place or the casino. Bally's Tiverton Casino was listed in its own category due to the fact that 29% of the Tiverton Police Department's recorded use of force incidents took place at that location (up from 27% in 2021). This percentage practically matched the incidents that occurred at residences (24%) and was surpassed only by public places (47%, up from 40% in 2021). There were no reportable uses of force recorded at headquarters for the entire calendar year.

# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Force Methods - Tools, Types and Tactics



A review of data concerning force application for 2022, revealed the use of only 3 types of force and/or tools. Before looking at these numbers, it is important to note that a single reportable use of force incident could consist of multiple force options being used. Due to this fact, the total number in this data set will not match the total number of force incidents reported.

The 2022 data revealed that officers used empty hand control techniques in just over half (16 in total) of all force applications by individual officers. Empty hand control techniques include any learned strikes, takedowns, joint manipulations and such that do not involve the introduction of other tools (lethal and/or non-lethal). 47% of all force applications per officer (14 in total) dealt with the presentation of lethal and/or non-lethal equipment to gain compliance.

During training, the techniques employed that utilize more than one officer are referred to as “team tactics.” There is a great deal of emphasis on this type of training due to the high probability of multiple officer engagements and the prevalence of “duty to intervene” issues seen in the media following several police engagements across the country over the past several years. In the chart above, multiple officer engagements (grouped as 2 to 4 and 5+) are seen to cover almost 70% of all force applications. In other words, 2 out of every 3 force applications involved the presence of more than one officer to deal with the suspect/threat.

# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Injuries as a Result of Force Application

Use of force incidents or response to resistance reports entered in the SHIELD FACTS program also record injuries sustained by suspects and officers. Again, it's important to note that multiple officers and/or multiple suspects can be involved in a single reported use of force.

A review of all 17 force applications during the 2022 calendar year, revealed that 13 or 76% of incidents took place without any injury to the officer(s) and suspect(s) involved. In the remaining 4 incidents, all 4 suspects had apparent minor injury or made complaints of pain. Additionally, there were 3 officers who reported minor injuries. None of the injuries sustained by suspects or officers were considered serious or incapacitating.

# TIVERTON POLICE DEPARTMENT

2022 Use of Force Analysis



## Department Funded Brazilian Jiu-Jitsu Program (1<sup>st</sup> in RI)

Over the past 10+ years, Brazilian Jiu-Jitsu has become a more prominent martial art in the law enforcement community and this is evident in Rhode Island through the adoption of numerous techniques by all 3 academies. At this point in time, RIMPTA (Rhode Island Municipal Police Training Academy) which is responsible for the training of all law enforcement officers in Rhode Island outside of Providence Police Department and Rhode Island State Police, has a curriculum that is heavily filled with techniques based in BJJ. These account for 60-70% of the entire curriculum.

Some states have taken steps towards making training BJJ mandatory for all uniformed officers given its emphasis on controlling combative persons without great emphasis on striking. Techniques based in this art and their application on the street have helped to reduce injury (both officer and suspect) in addition to lowering the number of times officers are introducing weapons into an altercation. BJJ helps officers remain current with their tactics, stay in shape and has notable mental health benefits.

July 2022 marked the beginning of the first department-funded BJJ program offered in the state of Rhode Island. The Tiverton Police Department partnered with Danny Savery Brazilian Jiu-Jitsu to offer sworn members of the department voluntary training on a monthly basis. Each participant could take between 4 and 8 classes monthly without any cost to the officer.

A total of 8 officers participated in the program during the 6-month period. 131 total classes were taken by these officers during that time with zero reported injury. For comparison, the average police department gets 4 hours use of force training yearly. For a department with 30 officers that amounts to approximately 120 hours total. The 8 officers involved with this training during the last 6 months of the year surpassed that total in half the time.

Similar to firearms and other required training for officers, empty hand combatives techniques are a perishable skill. Without repetition and regular practice, officers will not feel confident in their abilities, nor possess the necessary skillset to end a violent altercation quickly and without injury. Until 2022, most Tiverton Police Officers did not partake in this type of training on their own. After 6 months, 20% of the sworn officers working for this department are actively and regularly training.

As far as this training's impact on the Department's use of force as a whole, no correlations can be drawn at this time given the fact that the program is still in its infancy. The 2023 Use of Force Analysis will include data from 18 months of training. At that time, there may be enough information for conclusions to be drawn as far as the program's effectiveness.

# TIVERTON POLICE DEPARTMENT

## 2022 Use of Force Analysis



### Conclusion

During 2022, officers of the Tiverton Police Department were involved in 17 force applications during the course of various arrests and incidents. The comparison between the data collected between 2021 and 2022 showed little variance. The Tiverton Police Department uses force less than half of the national average (4% of all arrests nationally, less than 2% of all arrests conducted in Tiverton). This data indicates that training has been successfully retained in regard to diffusion/de-escalation strategies as well as control techniques.

A majority of the incidents from 2022 included the involvement of multiple officers and the use of empty hand techniques. As such, training during the 2022 calendar year was heavily based in the use of team tactics and techniques which did not include the use of tools/equipment. 2022's use of force training also introduced the use of a "crash pad" which allowed officers to practice takedowns in real-time speed without injury. The techniques and training equipment were well received by all sworn officers (full-time and reserve). As most of the force applications during the 2022 calendar year involved multiple officers and the use of empty hand techniques, emphasis will be placed on these training topics wherever possible.