



2023 Use of Force Analysis

Tiverton Police Department

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Purpose/Intent

The Tiverton Police Department completes a use of force analysis annually in accordance with Rhode Island Police Accreditation Commission (RIPAC) standards as well as the Rhode Island Police Chiefs' Association's (RIPCA's) "Twenty for 2020" Campaign. According to RIPAC standard 2.21, "the intent of the analysis is the determine if there are patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications."

The purpose of this analysis is to promote transparency, evaluate training efficiency and highlight the collective efforts of the department during the calendar year.

Executive Summary

The Tiverton Police Department (TPD) has concluded its annual use of force analysis for the 2023 calendar year. This analysis was completed by Lieutenant Bryan Palagi who is in his 13th 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 2023 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/responded to resistance, that officer logs onto their SHIELD account and creates a response to resistance report. Each report contains information for the officers involved, the

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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. This was especially important for the 2023 analysis due to changes in RIGL (Rhode Island General Law) concerning suspended license arrests.

In 2023, the officers of the Tiverton Police Department responded to **15,653 calls for service**. Officers made **514 arrests** during the calendar year and were involved in **16 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 14 of the 16 force applications, the other 2 applications were the result of incidents regarding mental health calls for service**. One of the arrests in question took place in Tiverton, but was the product of an initial motor vehicle stop conducted by Portsmouth PD (this incident was logged as an incident in Tiverton PD records management system instead of an arrest).

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.

Statistically the officers of the Tiverton Police Department **used force in approximately 0.1% of the calls for service they responded to, and approximately 3.1% of all arrests made in 2023**. In other words, a physical confrontation/resistance occurred in **just over 3 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 one percent less than the national average.**

Compared to the statistics from 2022, officer use of force/response to resistance remained consistent. However, changes to Rhode Island General Law resulted in a

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decrease in the number of suspended license arrests from 299 in 2022 to 40 in 2023. This change is most likely the key factor in regard to the increase in Tiverton PD's percentage of force used compared to arrest numbers (1.8% in 2022 to 3.1% in 2023).

The Tiverton Police Department recorded 920 arrests in 2022 and 514 in 2023 which is a decline of 406 arrests. Similarly, the Department conducted 299 suspended license arrests in 2022 and only 40 in 2023. Therefore, approximately 64% of the 406 arrest decline appear to have come from the change in legislation.

The data resulted in virtually no difference in force used with 17 applications in 2022 and 16 in 2023. The comparison to calls for service saw no change from 2022 to 2023 but an increase of 1.3% in regard to force used when measured against arrests conducted by this 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.

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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.

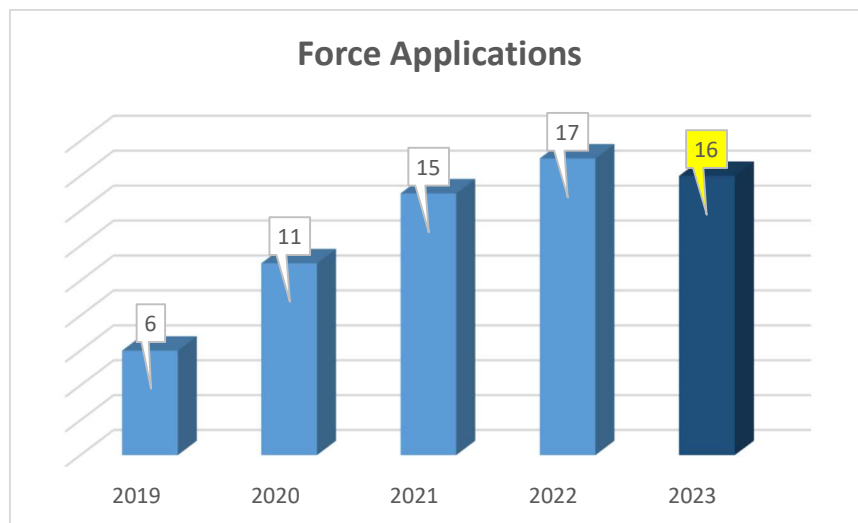
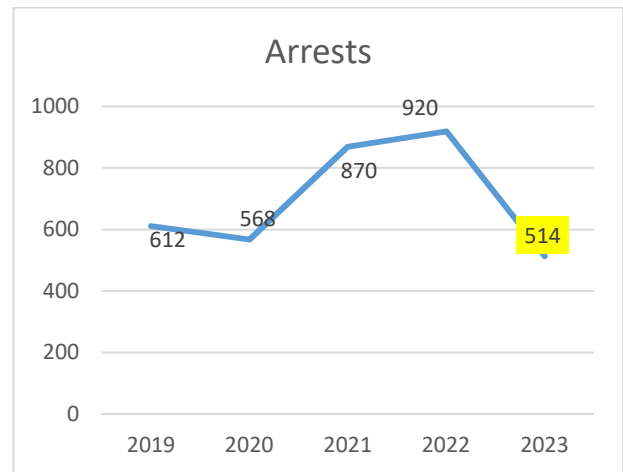
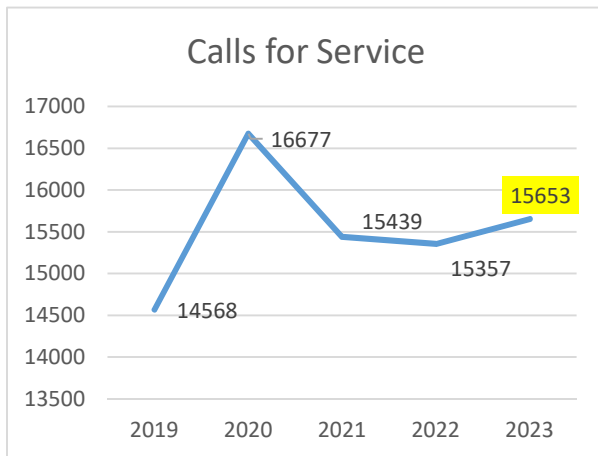
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5-Year Review

In 2023, the Tiverton Police Department responded to 15,653 calls for service which is an increase of approximately 1.9% from the previous year (15,357 in 2022). This figure is right at the 5-year average of 15,539 calls for service. However, the number of arrests conducted by the Tiverton Police Department in 2023 was 514, which was a 44% decrease from the previous year (920 arrests in 2022) and well below the 5-year average of 697 arrests. For reference, the 5-year average for arrests from 2018-2022 was 804. The changes made to RIGL (suspended license charges) dropped the average drastically in one year's time. Along with this decrease, the number of force applications decreased by 5.9% from 17 in 2022 to 16 in 2023.



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Analysis and Discussion

After comparing all the figures presented, the increase in force applications as they compare to arrest rates does not appear problematic. Despite the fact that it is actually a net decrease of 1 total force applications or 6% over an entire calendar year, the increase from 1.8% to 3.1% regarding the comparison of force applications to arrests would cause concern if not for the alterations made to state law. As noted in the Executive Summary, this figure is still almost an entire percent less than that of the national average.

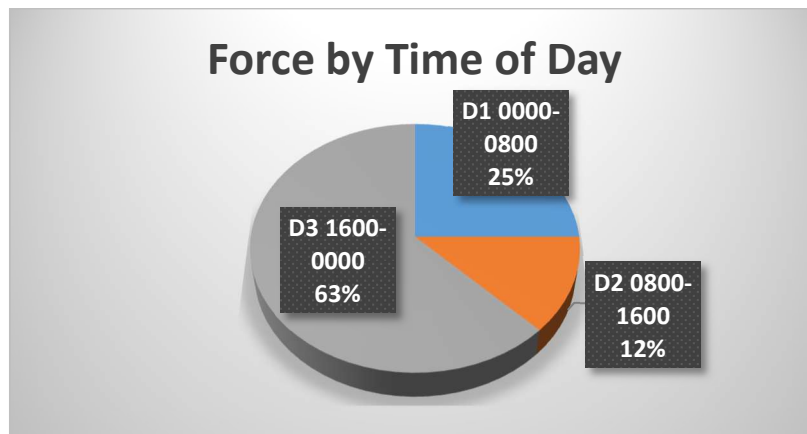
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Time Aspects of Force Application

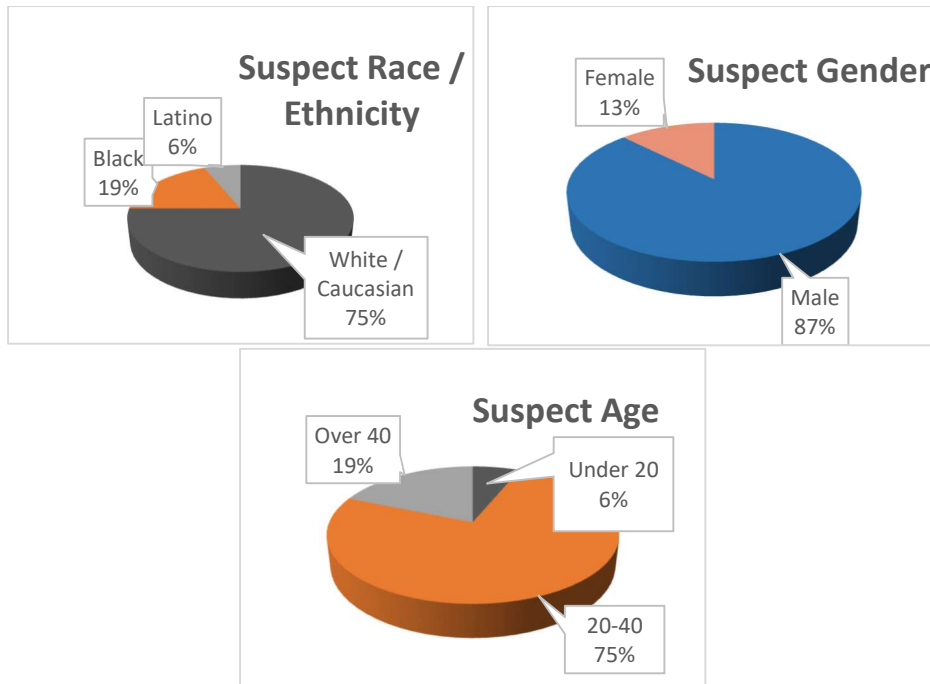
When force application is broken down by shift, a vast majority of use of force incidents are shown to occur during the afternoon. The D3 (1600-0000) shift is when the Tiverton Police Department has seen 63% of its total force applications for the entire 2023 calendar year. This finding is to be expected given the prevalence of intoxicating liquor and/or drugs during the mentioned hours along with other entertainment and work-related factors.





Use of Force Demographics and Location

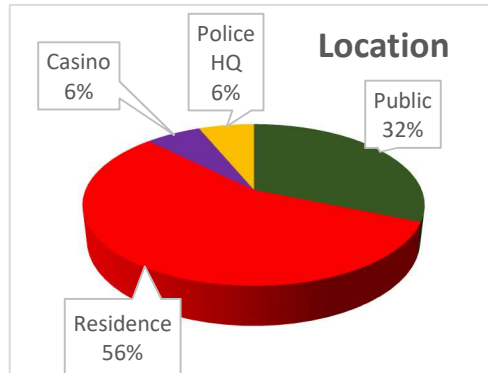
It is important to recognize that when looking at the data included in this report to consider the fact that breaking down the actual force application is looking at only 16 data entries. As such, only general conclusions can be gathered by exploring this data.



Looking at suspect race and ethnicity for force applications, the 16 response to resistance reports indicated that 12 or 75% of the suspects involved were White/Caucasian. The remaining 25% is made up of suspects that identified as being Black or Latino/Hispanic, 19% and 6% respectively. With respect to gender, 14 out of the 16 instances (87%) where force was applied was involving male suspects. Only 2 instances or 13% of the use of force situations involved female suspects. Suspect age ranges from 17 to 58 years old with a vast majority of 75% between the ages of 20 and 40. Taking into account all 3 suspect demographics, the most frequent combination with 38% is the white/Caucasian male between the ages of 20 and 40.

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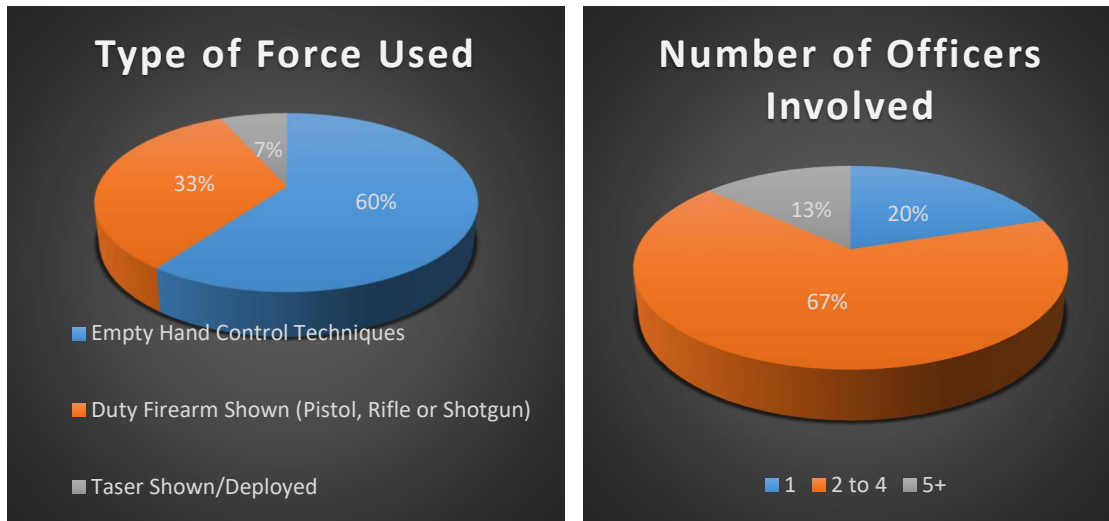
In regard to location, all of the use of force incidents in 2023 took place in either a residence, public setting, the casino or police headquarters. Bally's Tiverton Casino was listed in its own category due to the fact that in 2022, 29% of the Tiverton Police Department's recorded use of force incidents took place at that location. However, this year saw a drastic alteration and only 1 incident (6%) took place at the casino.

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Force Methods - Tools, Types and Tactics



A review of data concerning force application for 2023, 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 2023 data revealed that officers used empty hand control techniques in over half (9 in total) of all force applications. 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). 40% of all force applications per officer (7 in total) dealt with the presentation of lethal and/or non-lethal equipment to gain compliance. This statistic is down from 47% from the previous year.

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 80% of all force applications. In other words, 4 out of every 5 force applications involved the presence of more than one officer to deal with the suspect/threat.

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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 16 force applications during the 2023 calendar year, revealed that 13 or 81% of incidents took place without any injury to the officer(s) and suspect(s) involved. In the remaining 3 incidents, 3 suspects had apparent minor injury or made complaints of pain. Additionally, there was only 2 officers who reported minor injuries. None of the injuries sustained by suspects or officers were considered serious or incapacitating.

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Department Funded Brazilian Jiu-Jitsu Program (1st 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. This curriculum was adopted by both the Providence and RISP academies over the past several years.

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/impact. Some of these states have even proposed bills calling for a requirement that all police officer applicants to hold at least the rank of blue belt in BJJ. 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 11 officers participated in the program during the 18-month period that's elapsed since its inception. At the time of this analysis, 5 officers are currently still involved with the program. Only 2 officers have remained in the program for its entirety thus far and the remaining 3 current participants have been training for an average of 12 months.

During the past 18 months, 557 classes were attended by officers with only 1 minor injury reported (tweaked knee). 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 officers involved in department funded BJJ training have more than tripled that total amount of training.

Similar to firearms and other required training for officers, empty hand close quarter techniques are a perishable skill. Without repetition and regular practice, officers will

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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. In fact, only 1 officer or 4% of the department trained regularly. After 18 months, 5 officers or 19% of the department are actively and regularly training.

As far as this training's impact on the Department's use of force as a whole, the last analysis indicated that no correlations could be drawn given the fact that the program is still in its infancy. However, this analysis includes data from 18 months of training. As such, the following data has been collected (officers currently training are referred to as "BJJ officers" in the statistics below):

- The 5 BJJ officers (19% of the department) that trained for entire calendar year of 2023 were involved in 6 of 16 or 36% of the department's use of force incidents for the year
- For each use of force incident that 1 or more BJJ officers were involved in, there were no reported injuries (suspect or officer)
- For the remaining 10 of 16 incidents (64%) where no BJJ officers were involved, there were 5 total minor injuries reported (3 suspect and 2 officer) over 3 incidents

Essentially, the data from 2023 shows that if you were a suspect or a fellow officer involved in a use of force incident where a BJJ officer was present, there was almost no chance that an injury would occur. On the flip side, if you were a suspect or a fellow officer involved in a use of force incident where no BJJ officer was present, there was a 30% chance that a minor injury would occur.

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Conclusion

During 2023, officers of the Tiverton Police Department were involved in 16 force applications during the course of various arrests and incidents. The comparison between the data collected between 2022 and 2023 showed little variance especially when taking into account recent changes to Rhode Island General Law. The Tiverton Police Department uses force less than the national average (4% of all arrests nationally, just over 3% 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.

80% of the incidents from 2023 included the involvement of multiple officers and the use of empty hand techniques. As such, training during the 2023 calendar year was heavily based in the use of team tactics and techniques which did not include the use of tools/equipment. This will continue for the 2024 calendar year.

Given the findings associated with the department funded BJJ program, the hope is that more officers will be drawn to its benefits and raise the level of participation. If these statistics hold true for the following years, it would appear that the more officers are involved with the program, the safer department members and the public will be.