

Portsmouth Police Department

2018 Response to Resistance Analysis



Professional Standards Division

Summary:

The Portsmouth Police Department is completing its Response to Resistance self-analysis phase as a continuing improvement process through the Commission on Accreditation for Law Enforcement Agencies (CALEA). The analysis is systematically structured to identify any patterns or trends. Analysis should reveal patterns or trends that could be predictive or could indicate a need for additional Response to Resistance training, equipment upgrade and or policy modifications.

The 2018 Response to Resistance analysis provides a critical process in reviewing departmental policies and procedures. The analysis provides for process improvement in policy language, records management system, capturing additional data in offenses and supervisory oversight in Response to Resistance incidents.

The Portsmouth Police Department has implemented a Personnel Early Warning System through the Guardian Tracking software. This allows another level of systematic review of specific incidents to assist in the identification of employees who may exhibit signs of performance and/or stress related situations, and who may benefit from early intervention. In conjunction, supervisory staff must ensure all reports and forms are completed when required. A Response to Resistance Report Form is completed every time we respond to resistance as defined by policy.

The Portsmouth Police Department strives for improvement through personnel development, policy enhancement and responsiveness in order to provide effective and efficient police service to the citizens of Portsmouth.

Introduction

The Portsmouth Police Department Standard Operating Procedure O-101 (Response to Resistance), provides our officers with guidelines on all aspects of Responding to Resistance and proper reporting. This department recognizes and respects the value and special integrity of each human life. In vesting police officers with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required. Therefore, it is the policy of this department that police officers shall use only the force necessary to affect lawful objectives.

A police officer who responds to resistance in the performance of his or her duty takes many risks. Officers must not only answer to their own conscience, but to the law, the Police Department, and the public. A crisis situation gives little time for study and thought. Reactions must be based on sound principles and instilled through repeated training. An officer must be ready to act instantly, but with the sound judgment that comes with knowledge.

Portsmouth Police SOP O-101 *Response to Resistance*

“Response to Resistance Incident” means an incident in which any of the following occur:

- A. The intentional or accidental discharge of a firearm while on duty, or while off duty taking a police action (except animal euthanasia)
- B. When an officer draws their firearm and challenges a person, or otherwise points a firearm at another during any police action.
- C. The use of the ASP baton to strike another person.
- D. The use/display/accidental discharge of the Taser

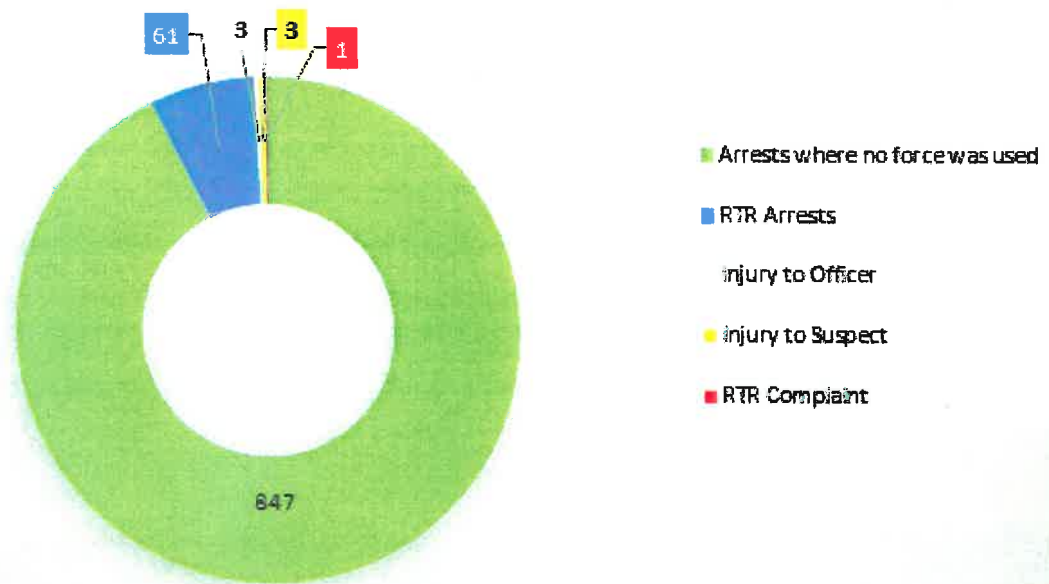
- E. The use of the RIPP Hobble restraint
- F. The use of OC Spray
- G. The use of hand techniques to restrain, bring into control, or otherwise subdue a resistant person.
- H. The use of defensive techniques.
- I. The use of a flashlight, knife, or any other item used as a weapon in cases of extreme emergency.
- J. Intentional contact, while operating a city owned vehicle, with a person, other vehicle, or any other object.
- K. K-9 Deployment with injury.

Response to Resistance Review:

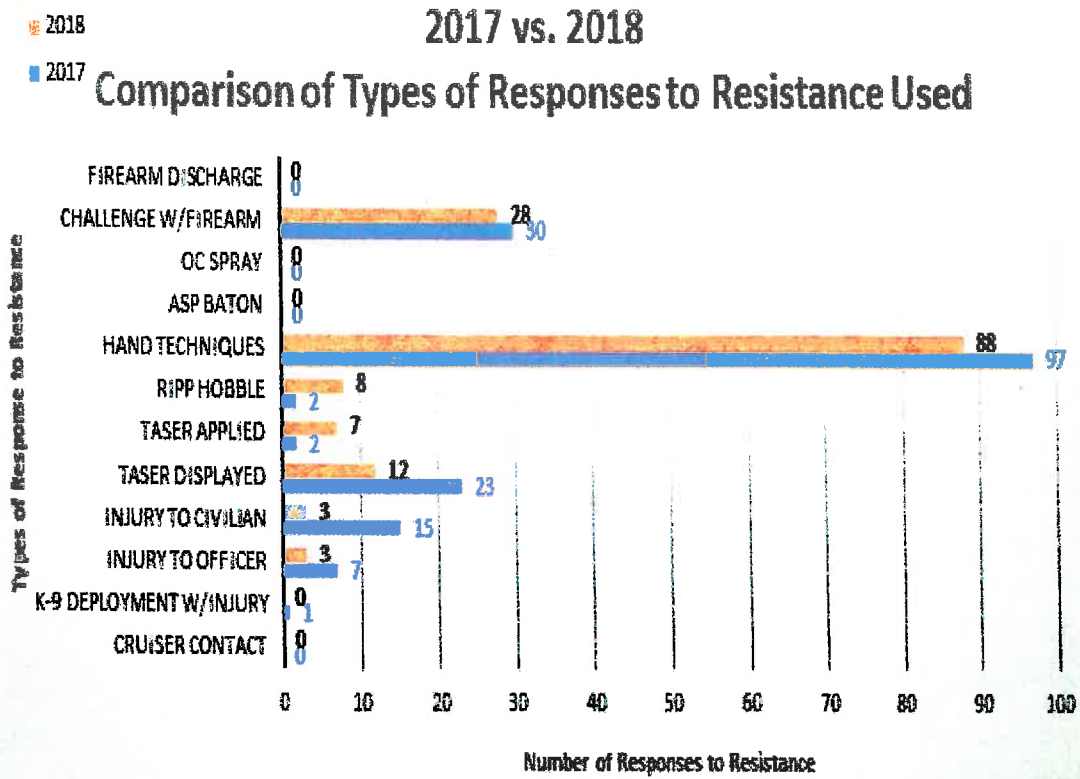
The Portsmouth Police Department's current management and review of Response to Resistance reporting is the responsibility of the Professional Standards Division. Officers who respond to resistance based on the criteria listed above, are required to complete a department RTR Form prior to the end of their tour of duty. The form is turned in to the Shift Commander who reviews it for completeness and accuracy. The form is then forwarded to the Operations Captain. After review by the Operations Captain, the form is forwarded to the Professional Standards Division. At the completion of each month, the Professional Standards Lieutenant runs an RTR report in and sends it to the RTR Committee which consists of a Lieutenant, Sergeant and the Training Officer. The RTR Committee analyzes each incident by reading the associated reports. The Committee members report back to the Professional Standards Lieutenant on whether or not the response to resistance used was appropriate and within the guidelines of state law and department policy. Any discrepancies are discussed and an appropriate disposition is delivered. Dispositions can range from remedial training, discipline, or policy modification. The Professional Standards Lieutenant adds a comment in each Guardian Tracking entry with the

disposition of the Committee review, and if further action is needed, ensures that is followed through with. All hardcopy files are stored in the Professional Standards Division.

908 In-Custody Arrests in 2018



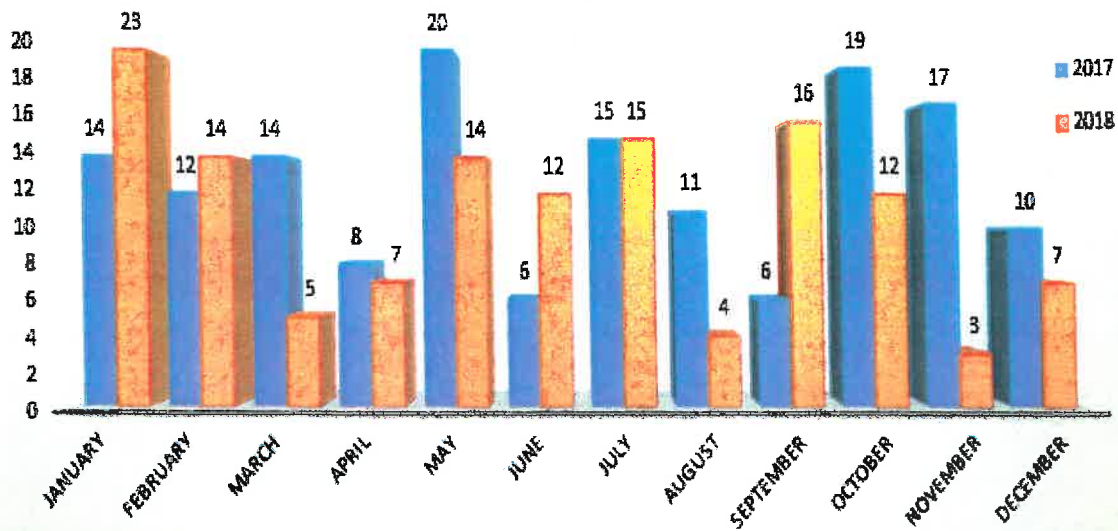
Response to Resistance Comparison 2017 vs. 2018



Comparison by Month

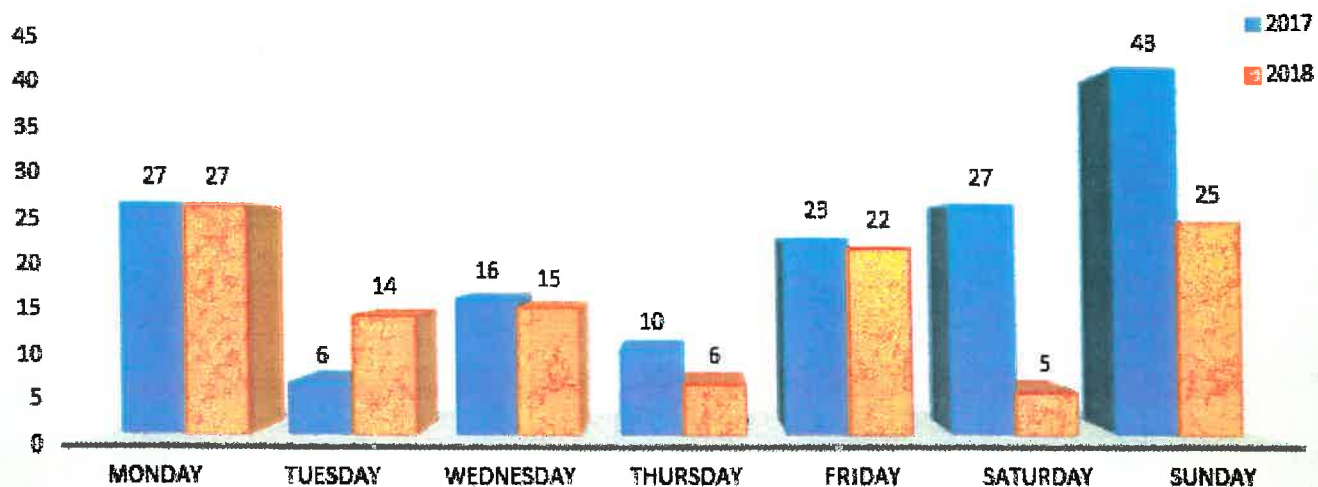
2017 vs. 2018

Comparison of Monthly RTR Incident Totals



Comparison by Day of the Week

2017 vs. 2018 RTR Incidents by Day of the Week



Although Statistical information indicates that Sunday had the greatest number of Response to Resistance Reports, most are actually from Saturday night after midnight.

Conclusion:

In 2018, the Portsmouth Police Department recorded 135 Response to Resistance reports as compared to 2017 in which there was 152 Response to Resistance reports, marking an 8% decrease in overall usage.

Of the 135 total reports in 2018, 65% were instances where Hands on Techniques were used. The next highest category was the Challenge with a Firearm (28) , followed by Display of the Taser (12).

There were 908 custodial arrests in 2018. Out of those, force was used on 61 occasions to assist in effecting the arrest. In other words, roughly 6% of the time force is used to effect an arrest.

In 2018 there was a 20% decrease in the amount of injuries sustained to suspects and a 42% decrease in injuries sustained by officers.

As previously stated, there were a total of 135 instances where some type of force was used. Of all these instances there was 1 complaint in 2018 regarding excessive use of force. This complaint was investigated by a formal Internal Affairs investigation and the allegation was determined to be unfounded.

The Response to Resistance Analysis is an instrument the department utilizes to ensure compliance of federal and state law and departmental regulations. The department continues to provide annual Response to Resistance Training, which encompasses a classroom session, defensive tactics, handcuffing, Taser, Oleo Resin Capsicum, transition/escalation of force and any other contemporary and relevant topics as deemed appropriate by Personnel and Training.

The Response to Resistance Analysis is also designed as a building block for the department to help recognize, meet and create the challenges of the evolutionary process of training. Recognizing the need for this, training will improve and at the same time enhance our strengths. The department continues to progress forward with basic skill building in the areas of low light firearms and force on force. We will also continue to provide training in handcuffing strategies, team control and arrest, and transporting officer subject control.