

Police Department
City of Keene, New Hampshire

Date: 19 January 2023

To: Steven Stewart, Police Chief *SS #156*

Through: Steven Tenney, Captain *ST #142*

Through: Michael Kopcha, Captain *[Signature]*

From: Shane C. Maxfield, Lieutenant *Shane C. Maxfield #85*

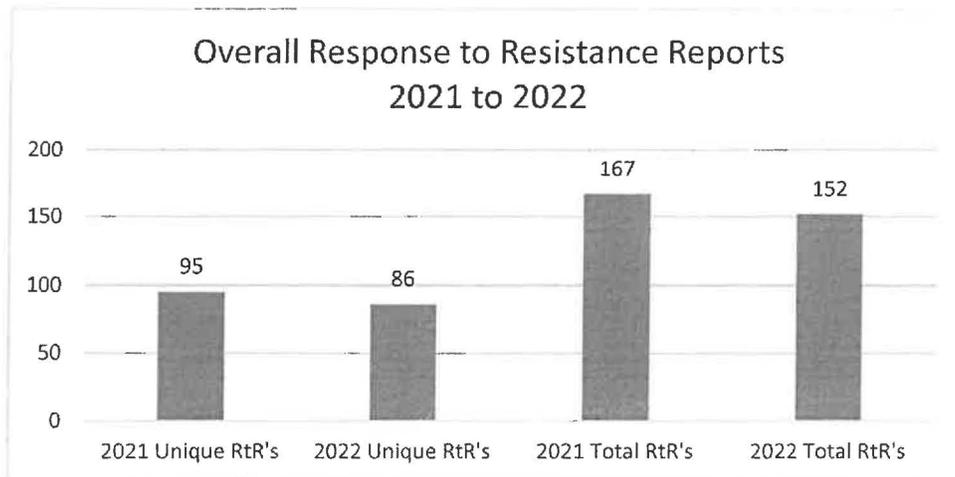
Subject: 2022 Response to Resistance Analysis

During January of 2023, I conducted an analysis of all 2022 Response to Resistance (RtR) reports filed by Keene Police Officers for completeness, developing trends and effectiveness of weapons, techniques and training.

In calendar year 2022 the Keene Police Department made 1207 arrests, including Involuntary Emergency Admissions and releases on Court Summonses. Suspect initial behavior or resistance towards KPD officers lawful commands led to some level of force response in 86 unique incidents (55 Arrest Reports (AR's), 31 Offense Reports (OF's)) or 7.1% of total suspect detentions. From these 86 unique incidents, 152 Response to Resistance reports were filed, the result of multiple officers often being present and applying force in response to suspect resistance. Arrest Reports produced 99 RtR filings, while OF's produced the remaining 53 RtR's. In calendar year 2021, suspect behavior led to some level of Officer force response in 8.2% of detention situations.

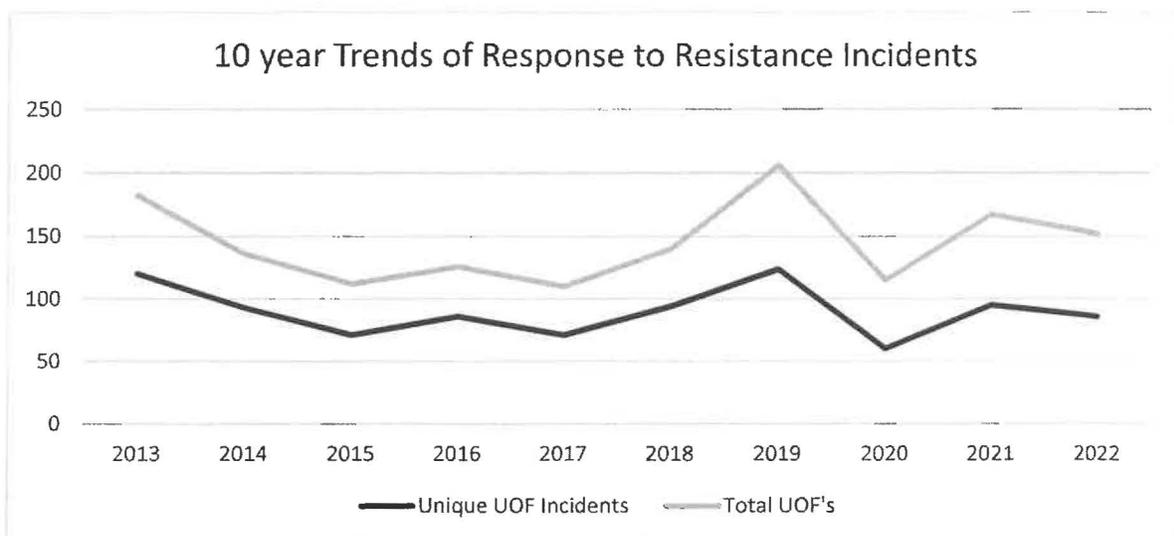
The nature of the AR-related RtR's varied widely, from subduing aggressive shoplifters, combative trespassers, several foot- and motor vehicle pursuits, domestic violence incidents, uncooperative inebriates and a handful of drug transportation cases. The OF-related RtR's involved IEA's or suicidal subjects who were combative, firearm-involved calls resulting in no criminal charge, uncooperative JV CHINS, assisting other agencies with higher-risk calls or miscellaneous felony-level investigations.

The 86 unique incident total for 2022 was a 9.5% decrease from 2021, which had 95 unique incidents. The 152 total RtR's filed in 2022 was also less (9% less) than 2021, which had 167 RtR's filed. This relationship is illustrated, below.

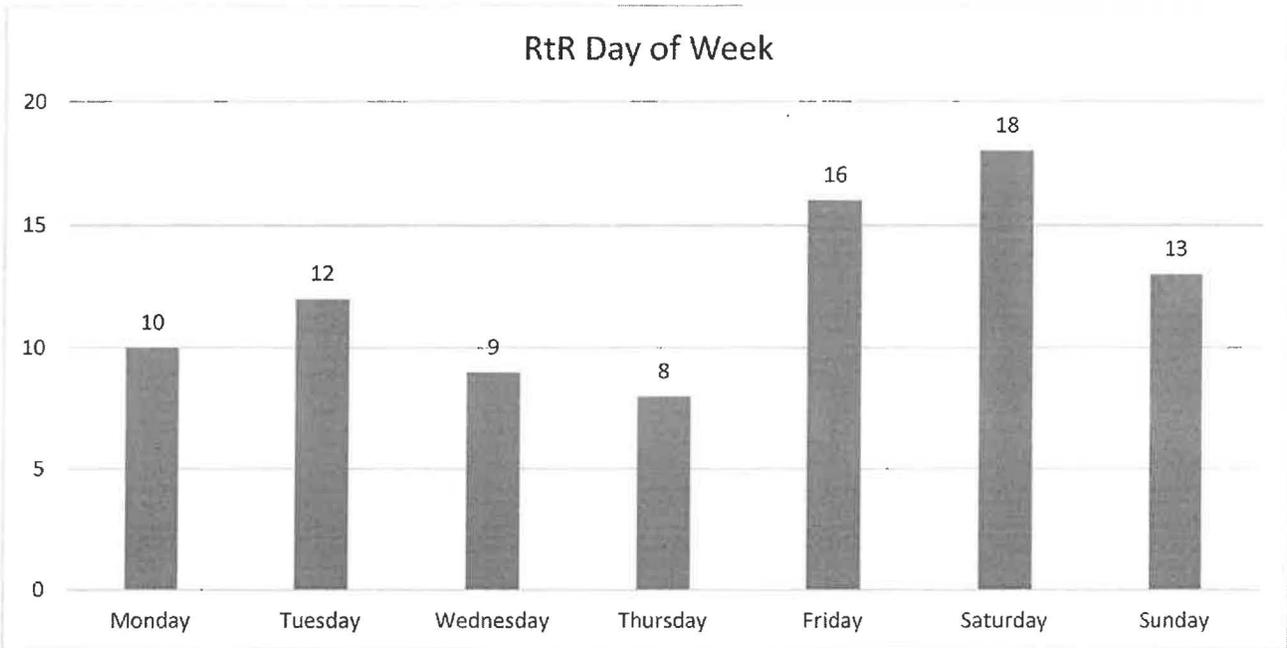
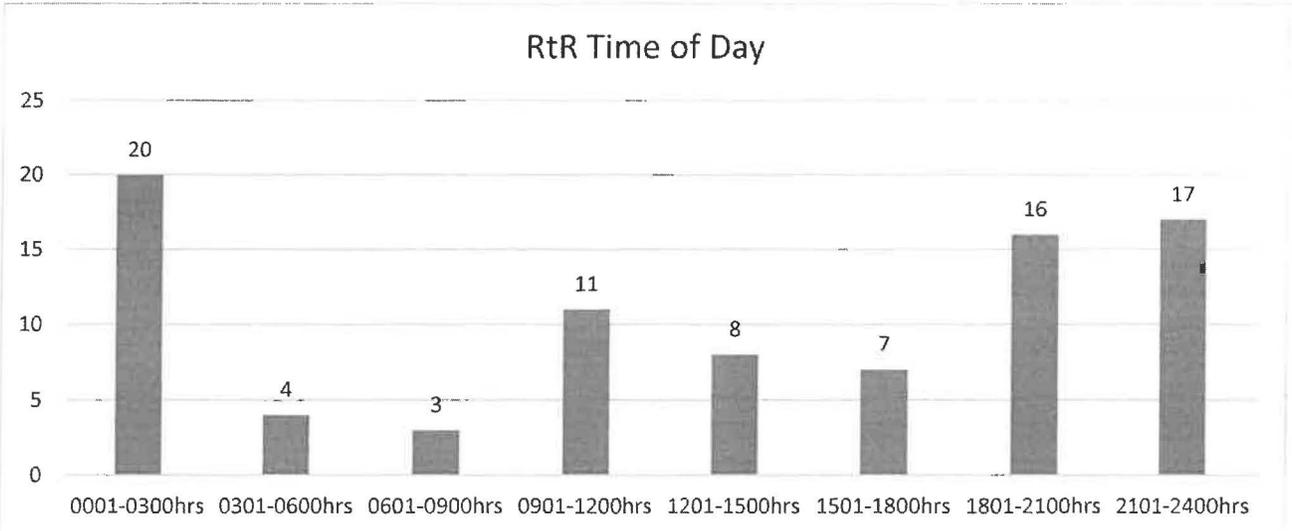


Call volume decreased 5.7% from 2021 (30701 calls) to 2022 (28940 calls). A large number of individual incidents had multiple officers responding to a suspect's resistance. Two or three officers using force to overcome resistance was most common, though there were a few cases where up to five officers utilized force. Additional agency training in de-escalation techniques often results in officers slowing incidents down, allowing additional officers and other resources to arrive. This also often allowed officers on the scene to resolve the issue at a much lower level of force, such as simply forcing a suspects hands back for handcuffing rather than having to resort to strikes or other techniques.

An examination of the past ten years of RtR data is illustrated, below. Factors affecting these trends vary widely, from staffing levels and relative tenure and experience of officers, to changes in societal acceptance of resistance to lawful police actions, to current equipment, training trends and organizational self-accountability.

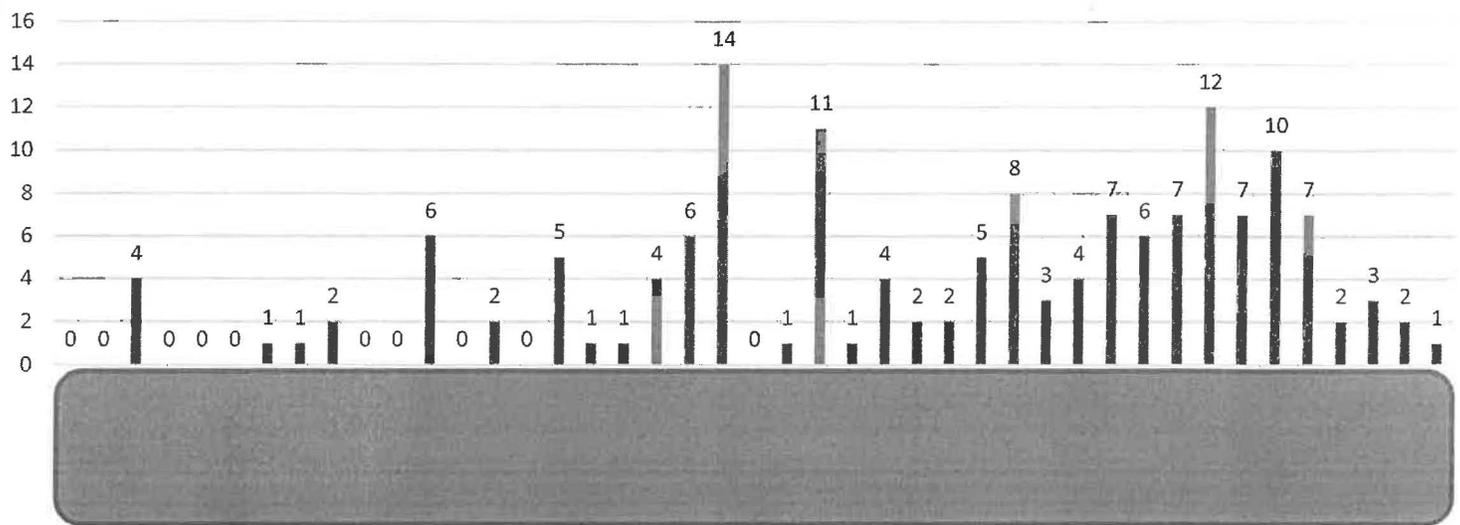


A day / time analysis of the 86 unique RtR incidents showed the following breakdown by time of day and then by day of week. The hours between 0300hrs and 0900hrs saw the fewest RtR's, which includes typical sleep times and low activity levels. Weekends accounted for the most RtR incidents, weekdays the fewest.

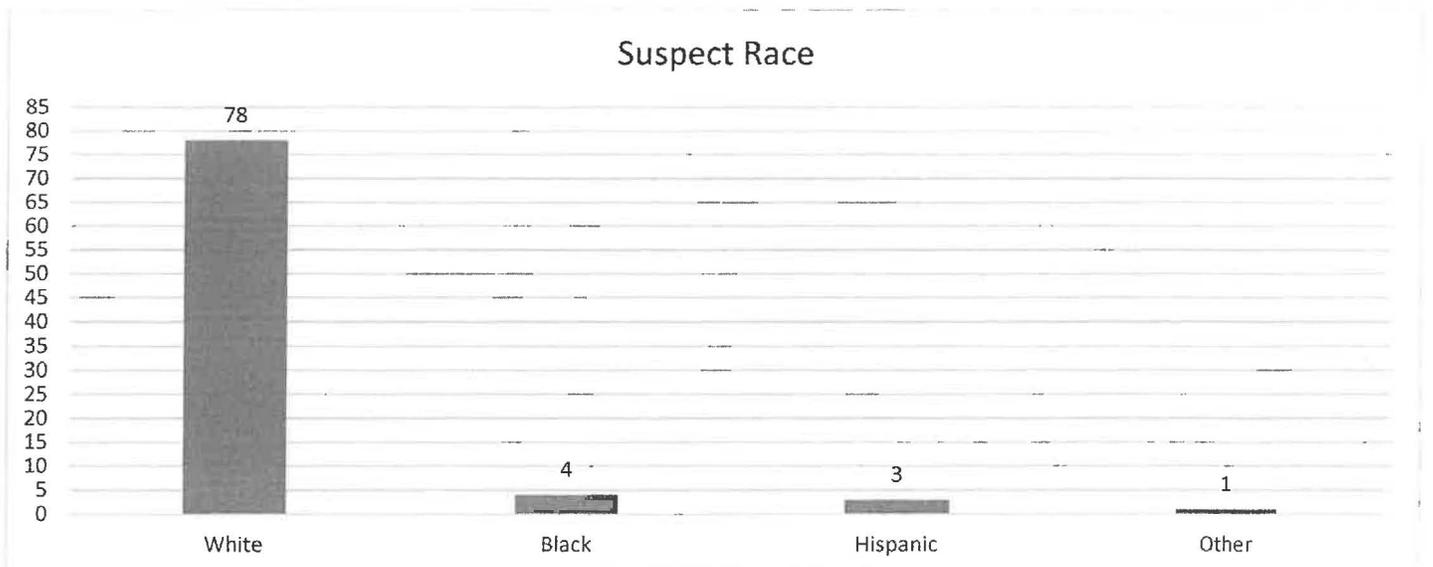
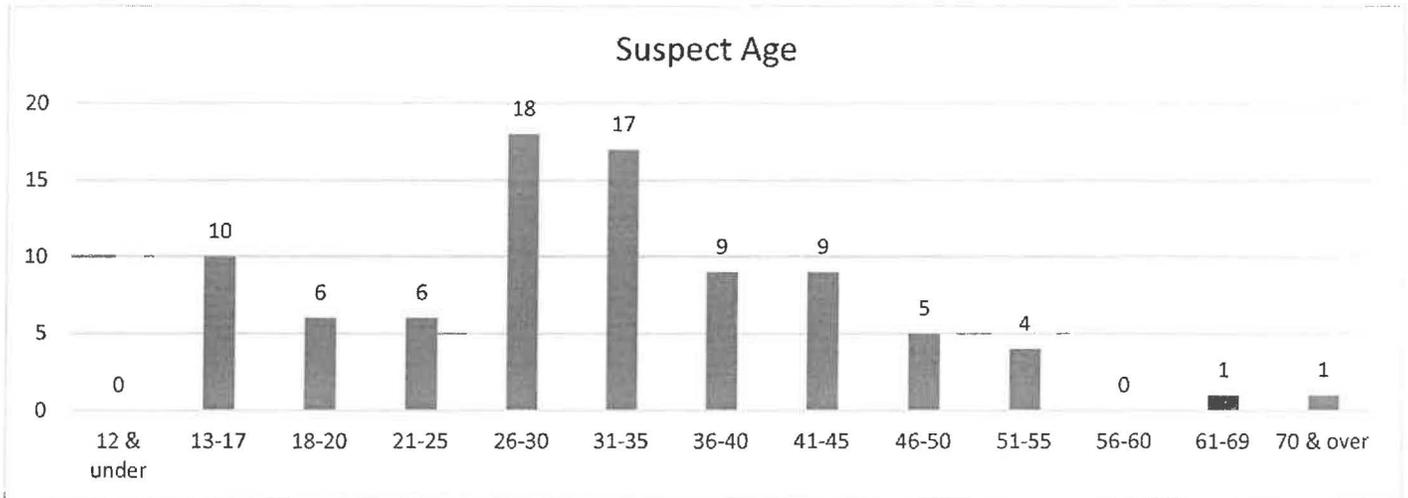


Analysis of the numbers of RtR reports filed by individual officers generally showed the predictable (and historic) trend that dayshift officers report fewer uses of force than evening or night shift officers. All uses of force were reviewed for compliance with NH statutes and Department policy, and all were found to be compliant.

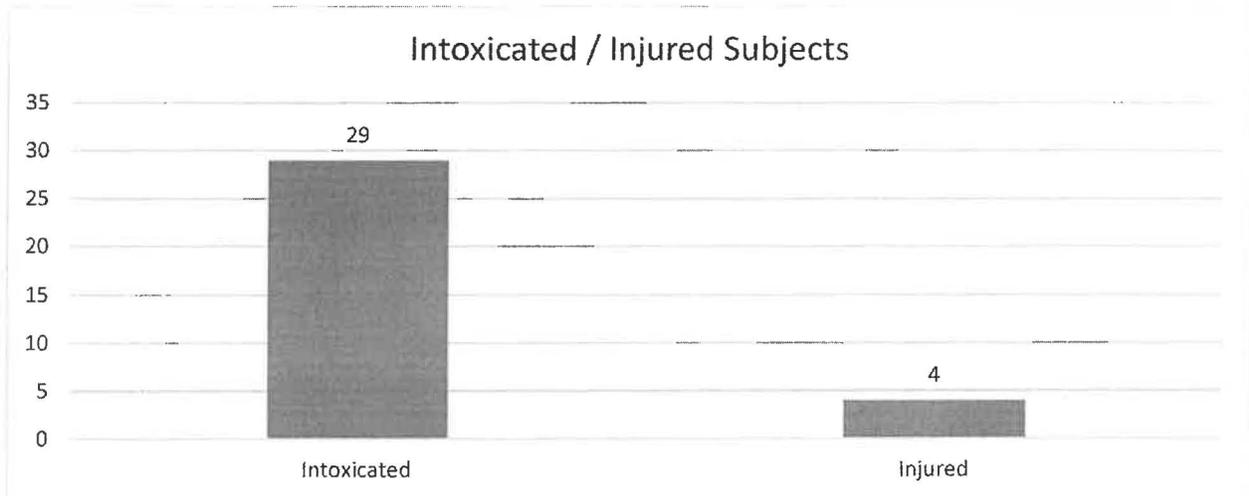
Force applied in response to subject resistance, by Officer



Analysis of the suspects involved showed the bulk of RtR's applied on white males between twenty-six and thirty-five years of age.

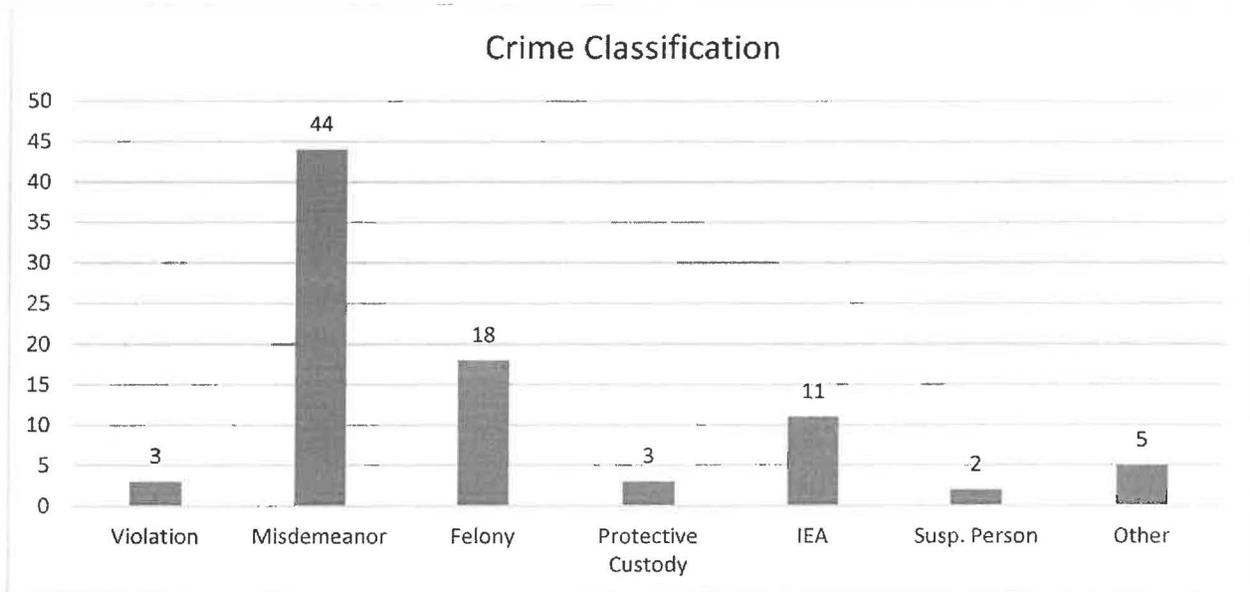


Of the 86 unique incidents, suspects were intoxicated in 29 of them and injured in 4 instances. Of the subject injuries, all were minor. One subject suffered minor injuries from a fight prior to Police contact and the remaining three suffered minor injuries after fleeing from the Police in cars or on foot and then fighting to resist being handcuffed.



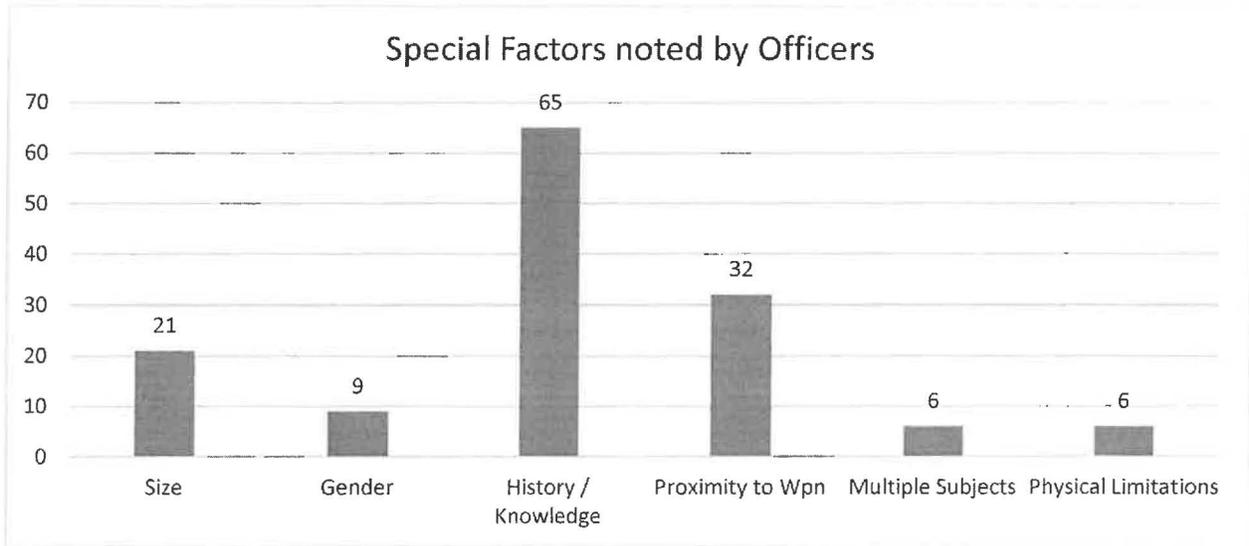
This translates to a 33.7% intoxication rate and a 4.6% injury rate for subjects whose actions resulted in force applied by the Police. Comparable data for 2021 showed a 46.3% intoxication rate and a 6.3% injury rate.

Analysis of the encounters themselves showed that the majority of them resulted in (or stemmed from) misdemeanor charges for the suspects, followed by felony incidents and Involuntary Emergency Admissions. Other level charges and dispositions were fewer.



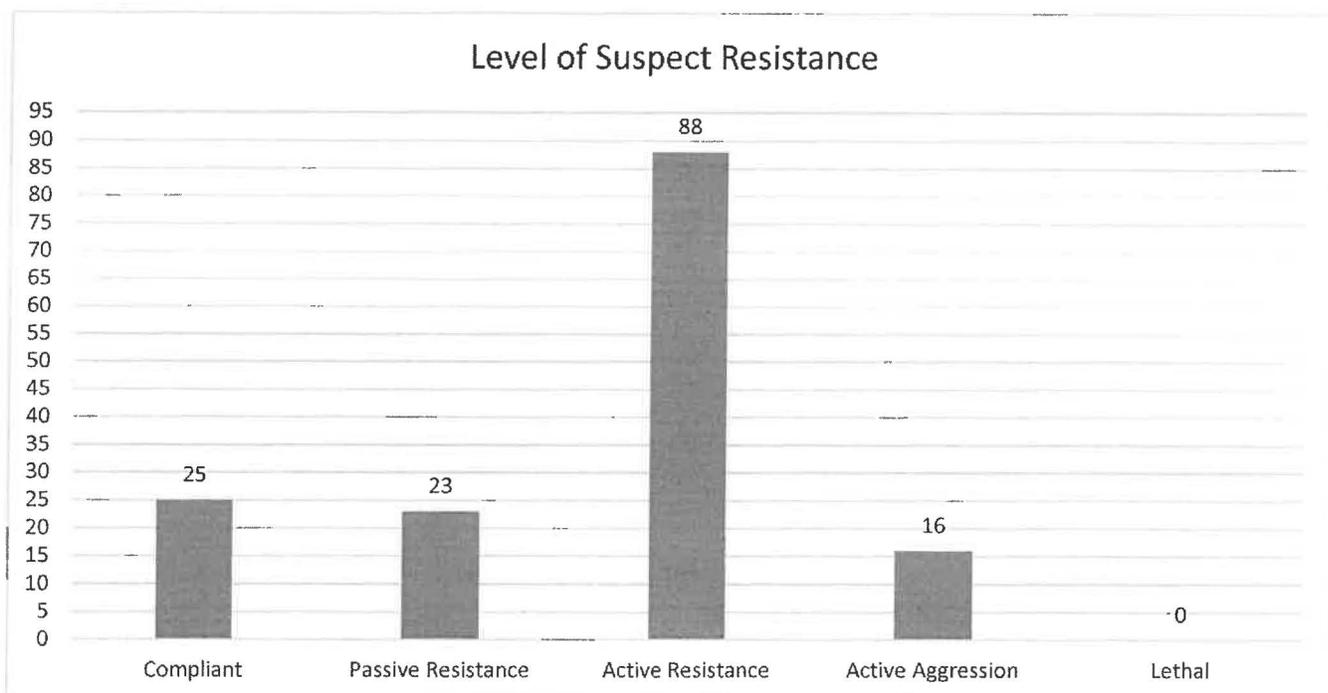
A comparison of 2022 RtR by Crime Classification to the same categories from 2021 showed violations for 2022 at three, 2021 at four. Misdemeanors for 2022 were at 44 of the total, 2021 were at 36. Felonies for 2022 accounted for 18 of the total, in 2021 there were 21. Protective Custodies for 2022 were three of the total, while 2021 PC's were at eleven.

Understanding that an officers perception of the suspect and their capability plays a big part in the choice of tactics to deal with them, I noted that the majority of total RtR's filed listed "Special Factors" relating to either the choice to employ force or the choice of tactic:



Note the high number for "Prior History / Knowledge," which suggest prior encounters with the same suspects, or in many cases, dispatchers effectively conveying information.

Also pertaining to officers' perception of opponents is the level of resistance encountered. Similar to historical data, "Active Resistance" by far outnumbers other levels of resistance perceived by Officers, as illustrated here:



Officers used "Hand Techniques" most often (108 during the year), which is logical as it is the most readily available force option. The most commonly used techniques within that category included "arm bars," "wrist locks," and "other" techniques such as tackling or just pushing, pulling or holding a suspect down.

Next common was "Firearms or Special Weapons" with 46 uses, with all being "displayed only." Within this category there were several instances of felony vehicle stops of drug transporting cars, criminal threatenings with guns or knives, vehicle pursuits and other incidents where officers aimed firearms or less-lethal special weapons at suspects and successfully gained their compliance. Issued weapons, such as the Glock pistol, patrol rifle and the 40mm Less Lethal Launcher were utilized.

OC spray was used eleven times, with mostly moderate results. The application of pepper spray usually ended the conflict, the few times it didn't were the result of poor officer aim or suspects who just muscled through the discomfort.

The expandable baton was used a single time, to apply a wrist lock to a resisting subject.

There was a single use of the K9 this year, with no contact between the dog and the subject.

The Tactical Team was used four times, once each for a high risk search warrant, a drug-related vehicle assault, a suicidal barricaded wanted subject and once outside of Keene for a mutual aid high risk arrest.

Many of the RtR reports filed indicated the officers utilized more than one force option to resolve the incident, starting with their own official presence and increasing when forced to, based upon the suspect actions. Officers are trained to de-escalate situations by using verbal negotiating and smart physical tactics. Police response to suspect resistance elevated only when the suspect refused to be reasonable and comply, and they themselves increased the tensions of the incident. Multiple-officer responses happened often, in attempts to keep the levels of force applied at lower levels and reduce risk for both suspect and Police. The trend of suspects to reject Police authority contributed to the majority of these encounters.

Pursuant to this RtR Analysis, coordination is ongoing with the force instructor staff to ensure that future RtR training remains pertinent and effective, as well as the continual review of equipment, techniques, practices and policy, to support the officers in the field in keeping with the Department mission. We continue to conduct De-Escalation training in excess of the formal requirements. At present, current training is meeting this agency's needs, and the training calendar covers all force options, concentrating on mastery of basic skills.